



**ORDER FOR MEDICAL TESTING  
AND BODY SUBSTANCE SAMPLE**

Case No. \_\_\_\_\_  
Court \_\_\_\_\_  
County \_\_\_\_\_  
Division \_\_\_\_\_

IN RE: MEDICAL TESTING / BODY SUBSTANCE SAMPLE OF \_\_\_\_\_,  
[Individual's Name]

**The COURT, having received evidence in this matter, and being otherwise sufficiently advised, now FINDS:**

1. The \_\_\_\_\_ has received reports of increasing numbers of ill people exhibiting symptoms of a disease that has in its common course severe disability or death.  
[local health department name]
2. That since \_\_\_\_\_, 2 \_\_\_\_\_ until the date of this Order, over \_\_\_\_\_ people have been stricken with this disease in Kentucky and \_\_\_\_\_ people have died.  
[date of first case report] [applicable number]
3. 2019-novel Coronavirus (2019-nCoV) is a new communicable disease that has not been previously identified in the world. 2019-nCoV meets the definition for "severe acute respiratory syndromes" as set forth in federal Executive Order 13295, as amended by Executive Order 13372 and 13674, and is a federally quarantinable communicable disease. It is characterized by fever, cough, and shortness of breath and can progress to severe respiratory illness requiring hospitalization and mechanical ventilation and can lead to death.
4. 2019-nCoV is spread from person-to-person among close contacts. According to the Center for Disease Control and Prevention, person-to-person spread is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes. These droplets can be inhaled into the lungs and in the mouths or noses of people who are in close contact. Further, this disease may be spread from contact with contaminated surfaces or objects.
5. Clear and convincing evidence shows that those people who are in physical contact with or in the proximity of less than 6 feet of an individual infected with this disease, or have had contact with a surface or object that is contaminated with 2019-nCoV, are likely to exhibit symptoms within 2 to 14 days, which period of time is referred to herein as the "incubation period". Thus, the clear and convincing evidence suggests that this disease is easily transmissible from person-to-person.
6. There are no known preventive medications for this disease at this time.
7. The petitioner, \_\_\_\_\_, an officer/employee of \_\_\_\_\_, has reasonable grounds, as set forth in the attached Affidavit, to believe that \_\_\_\_\_ is infected with 2019-nCoV.  
[petitioner's name and title] [local health department name] [individual's name]
8. The petitioner further has reasonable grounds to believe that \_\_\_\_\_ poses a serious and present threat to the health of others if he or she is infected with 2019-nCoV and is not tested.  
[individual's name]
9. The petitioner has requested that \_\_\_\_\_ voluntarily undergo medical testing to confirm the presence of 2019-nCoV.  
[individual's name]
10. \_\_\_\_\_ has refused to undergo said testing.  
[individual's name]

**The COURT now MAKES the following conclusions:**

1. Pursuant to 902 KAR 2:050 and KRS 212.245, the petitioner, in his or her role as \_\_\_\_\_ with the \_\_\_\_\_ is empowered to require \_\_\_\_\_ to submit to medical testing to determine whether he/she is infected with 2019-nCoV.  
[petitioner's title] [local health department name] [individual's name]

2. Petitioner, in his or her role as \_\_\_\_\_, may petition this Court to compel the testing pursuant to KRS 212.245(6).  
*[petitioner's title]*

3. As a matter of law and pursuant to KRS 212.245(6), this Court may compel \_\_\_\_\_ to submit to medical testing to determine whether \_\_\_\_\_ is infected with 2019-nCoV.  
*[individual's name]* *[individual's name]*

4. The nature of the disease at issue (as recited above at Paragraphs 3 and 4), the petitioner's reasonable belief that an infection may exist (as recited above at Paragraph 7), and \_\_\_\_\_'s refusal to comply with the requested testing (as recited above at Paragraph 10), constitute clear and convincing evidence that \_\_\_\_\_ must be ordered to submit to medical testing and provide a body substance sample.  
*[individual's name]*

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that \_\_\_\_\_ shall provide a (check one)  blood  fluid  tissue sample at the (check one)  \_\_\_\_\_ or  \_\_\_\_\_ where an appropriate medical professional shall remove the above-referenced sample from \_\_\_\_\_'s body and subject it to a test that has been scientifically demonstrated to reveal whether \_\_\_\_\_ is infected with 2019-nCoV.  
*[individual's name]* *[individual's name]* *[name and address of appropriate medical facility]* *[other appropriate address as determined by the [name of local health department]]*

It is further **ORDERED, ADJUDGED, and DECREED** that the \_\_\_\_\_ County Sheriff shall arrange for \_\_\_\_\_ to be transported to \_\_\_\_\_, if necessary, for purposes of obtaining a sample from \_\_\_\_\_.  
*[county]* *[individual's name]* *[name of appropriate medical facility or other address indicated above]* *[individual's name]*

It is further **ORDERED, ADJUDGED, and DECREED** that in the event \_\_\_\_\_ refuses to submit to the testing ordered herein, petitioner shall return to this Court to obtain an order or search warrant authorizing the use of force to conduct the necessary testing.  
*[individual's name]*

It is further **ORDERED, ADJUDGED, and DECREED** that the results of this testing shall be disclosed only to \_\_\_\_\_, \_\_\_\_\_, and other individuals legally authorized to access such information.  
*[individual's name]* *[petitioner's name]*

\_\_\_\_\_, 2 \_\_\_\_\_  
Date

\_\_\_\_\_  
Judge's Signature

Time: \_\_\_\_\_  a.m.  p.m.

Distribution: County Attorney  
Local Health Department  
Individual subject to this Order