



# Missouri judge says COVID-19 public health orders must be

BY MAUREEN BRESLIN - 11/23/21 04:58 PM EST

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A Missouri judge ruled that local health officials can no longer issue COVID-19 safety orders, which he said infringe upon the constitutional separation of powers between branches of government, [reported the St. Louis Post-Dispatch](#).

The ruling from Cole County Circuit Court Judge Daniel Green means local health regulations throughout Missouri are struck down and rendered obsolete, reported the Post-Dispatch.

“This case is about whether Missouri’s Department of Health and Senior Services regulations can abolish representative government in the creation of public health laws, and whether it can authorize closure of a school or assembly based on the unfettered opinion of an unelected official. This court finds it cannot,” said Green, according to the Post-Dispatch.

“Missouri’s local health authorities have grown accustomed to issuing edicts and coercing compliance. It is far past time for this unconstitutional conduct to stop,” added Green, a Republican who was first elected as county judge in 2010.

The lawsuit was originally filed in 2020 and claimed that state health officials were overstepping their authority by issuing coronavirus mitigation measures such as quarantines and business closures, reported the Post-Dispatch.

Among those who filed the lawsuit was Ben Brown, who is running for state Senate in Missouri and owns Satchmo's Bar and Grill, which he fought to keep open during the pandemic against St. Louis County officials' orders, reported the Post-Dispatch.

Brown posted about the ruling on Tuesday on his Twitter account, [where he wrote](#), "The age of mandates and forced quarantine of students by local health departments in our state is over!" and "Freedom wins!"



St. Louis County Executive Sam Page told the council that the mask mandate remain in place, according to the Post-Dispatch. "With winter on its way, people are spending more people inside, where respiratory viruses circulate more easily," he said.

It is uncertain if the ruling will be appealed, but for now, the health departments must respect the ruling as law, the Post-Dispatch noted.

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