



State of Louisiana
Louisiana Department of Health

HEALTHCARE FACILITY NOTICE/ORDER
FOR IMMEDIATE RELEASE

TO: All licensed Intermediate Care Facilities for Persons with Developmental Disabilities (ICF/DD)¹
All licensed Psychiatric Residential Treatment Facilities (PRTFs)

FROM: LDH Office of Public Health
Joseph Kanter, M.D. *Joseph Kanter, MD*
State Health Officer

RE: State Health Officer Order
(1) ICF/DD Visitation
(2) PRTF Visitation

DATE: February 22, 2021

EFFECTIVE DATES: This Emergency Order shall be effective immediately, beginning 5:00 p.m. on February 22, 2021, and shall remain in effect until further notice from the State Health Officer.

RATIONALE AND LEGAL AUTHORITY:

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a "public health emergency of international concern" (PHEIC). On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States, effective January 27, 2020. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, *et seq.*, a state of public health emergency resulting from the outbreak of "coronavirus disease 2019" ("COVID-19") was declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020.

The COVID-19 outbreak in Louisiana continues. Measures are necessary to protect the health and safety of the public. The measures ordered herein are in line with the best guidance and direction from the Centers for Medicare and Medicaid Services (CMS).

¹ These facilities are also known as "intermediate care facilities for persons with intellectual disabilities."

The State Health Officer expressly finds that the measures ordered herein are necessary to help control and prevent further spread of COVID-19, a communicable, contagious, and infectious disease that represent a serious and imminent threat to the public health.

NOW THEREFORE, pursuant to the powers vested in me by L.R.S. 40:1 et seq., particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(2), I, Joseph Kanter, M.D., State Health Officer, do hereby issue the following emergency order:

(1) All Intermediate Care Facilities for the Developmental Disabilities (ICF/DDs) licensed in Louisiana that are NOT also licensed as nursing facilities, are no longer required to be in compliance with the provisions of the Centers for Medicare and Medicaid Services (CMS), QSO-20-39-NH, entitled "Nursing Home Visitation – COVID-19 ", as issued on September 17, 2020. Instead, all Intermediate Care Facilities for Persons with Developmental Disabilities (ICF/DDs) licensed in Louisiana that are NOT also licensed as nursing facilities, and all Psychiatric Residential Treatment Facilities (PRTFs) licensed in Louisiana are mandated to follow the provisions of the CMS, QSO-21-14-ICF/IID & PRTF, entitled " Visitation at Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs) and Psychiatric Residential Treatment Facilities (PRTFs)- Coronavirus Disease (COVID-19)," as issued on February 10, 2021, effective 5:00 p.m. on February 22, 2021. A copy of CMS Memorandum QSO-21-14-ICF/IID & PRTF is attached. Where ICF/DDs are licensed as nursing facilities and are certified under section 1919 of the Social Security Act, the ICF/DD must continue to allow visitation by the long-term care Ombudsman program, consistent with 42 CFR 483.10(f)(4)(i)(C), and consistent with visitation guidance for Nursing Homes as provided in CMS, QSO-20-39-NH.

(a) Each ICF/DD facility, and PRTF provider shall revise its current visitation policy and procedure to reflect these new CMS provisions; such revisions shall include provisions in the facility's policies and procedures to maintain documentation, such as a visitor's log, that indicates, at a minimum, the following:

- (i) Name of Resident receiving a visitor;**
- (ii) Name of and contact number for Visitor(s);**
- (iii) Date of the visit;**
- (iv) Time of arrival and time of departure of the Visitor(s); and**
- (v) Specific Location of the Visit on the facility's campus.**

(b) Each ICF/DD and PRTF provider is encouraged to enter the documentation/visitor log information noted in (1)(a)(i)-(v) into the LDH Office of Public Health electronic database. This will assist the facilities with maintaining the documentation and will allow LDH to quickly provide assistance on infection control to the facility should the need arise.

(2) This State Health Officer Order replaces and supersedes any previously issued State Health Officer orders/notices to licensed ICF/DDs, and licensed PRTFs regarding visitation.



Dr. Courtney N. Phillips
Secretary



Dr. Joseph Kanter, M.D.
State Health Officer