

Nursing Home Visitation (during the COVID 19 public health emergency) Frequently Asked Questions

On September 17, 2020, U.S Health and Human Services (HHS) issued guidelines on nursing home visitation, which can be found [here](#). On September 18, 2020, Louisiana's State Health Officer issued an emergency order stating that facilities are mandated and directed to follow the HHS guidance set out in the published September 17, 2020 guidelines. The order can be found [here](#).

The following are answers to the most asked questions received by the Department about visitation at Louisiana's nursing homes.

TESTING

Is funding available to nursing homes to perform COVID 19 testing?

HHS has made some funding available through the CARES Act. More information can be found at <https://www.hhs.gov/about/news/2020/08/07/hhs-announces-allocations-of-cares-act-provider-relief-fund-for-nursing-homes.html>.

If nursing facilities choose to test visitors for COVID 19, how are the test results reported?

Results can be reported to ELR@la.gov. In addition, it is important to note that all tests done on staff, residents and visitors are required to be reported.

Are the Louisiana testing requirements for staff and residents now moot since the state is in Phase 3?

The previous guidance on testing of staff and residents remains in effect. CMS recommends testing visitors, but does not require it.

Do Nursing Home Ombudsman have to be tested?

Current CMS guidance speaks only to mandatory testing for staff (including volunteer and contract) and residents. CMS recommends testing visitors, but does not require it. In addition, the most recent CMS guidance regarding visitation states that a nursing facility can only restrict in-person visitation if there is reasonable cause.

Have the requirements for how often staff and residents are tested changed?

Louisiana strongly recommends testing of staff a minimum of once per week, and testing residents once per week unless there have been no positive tests for 14 days.

VISITATION

Is a nursing facility required to have no positive COVID 19 tests for 14 days before allowing for outdoor visitation?

According to CMS guidance, recommendation of 14 days without a positive test is for indoor visitation only. If there is an outbreak at the facility, we would expect that your visitation policies

and procedures would include all necessary infection control practices. CMS guidance does acknowledge that outdoor visitation is safer than indoor visitation. It is expected that each facility will give due diligence to limiting exposure of the virus.

Is it accurate that if a nursing facility has gone 14 days with no resident testing positive for COVID 19, the facility can have indoor visitation with masking, social distancing and other proper infection control procedures in place?

Louisiana expects all nursing facilities to follow the most recent CMS guidance regarding visitation. CMS clearly states in the guidance that outdoor visitation is safer than indoor visitation.

Can nursing facilities limit the number of visitors, times of visitation and duration of visits?

Louisiana expects all nursing facilities to follow the most recent CMS guidance (referenced above) regarding visitation. Health Standards will review visitation policies and procedures during onsite inspections to assure compliance with the CMS guidance and will expect that the policies protect the health of the residents. Knowing who visitors are and when they were in a facility will prove to be useful information should tracing be necessary.

Will nursing facility visitation be allowed in all parishes or will approval of visitation be tied to parish positivity rate?

The most recent CMS guidance suggests the use of community positivity rate when determining rather or not indoor visitation is safe and appropriate. There is no mention of the use of positivity rates for implementation of outdoor visitation.

Can children be allowed as visitors to a nursing facilities?

The CMS guidance does not provide any concrete recommendations regarding children. Louisiana would expect that the nursing facilities visitation policies and procedure would provide for the age of allowed visitors.

Can nursing facilities allow visitation for new residents who are in quarantine?

A person newly admitted to the facility can pose a risk to others in the facility and to visitors unless it is known that the person is COVID 19 negative. Although the HHS guidance does not address this specifically, Louisiana expects each facility to practice prudent infection control at all times.

If there is a COVID 19 outbreak in a facility, can the nursing facility stop all visitation?

Yes, if the nursing facility believes that residents could be placed in an unsafe situation, the nursing facility should act accordingly. Prudent infection control is expected of each nursing facility, and the safety of residents is paramount.

Does this mean that if a facility currently has an outbreak, the facility should not facilitate outdoor visitation?

As per the guidance, facilities may still restrict visitation due to the CV 19 county/parish positivity rate, the facility's CV status, a resident's CV status, visitor symptoms, lack of adherence to proper infection control practices, or other relevant factors related to the public health emergency. However, facilities may not restrict visitation without a reasonable clinical or safety cause. The facility's visitation policy should address potential outbreaks.

How does a facility allow for compassionate care visits while also experiencing positive COVID cases in the facility?

Whereas outdoor visitation is the visitation of choice there are situations whereby the nursing home must make a decision based upon the immediate health need of the person requiring the compassionate care. The nursing home should have a process for this in their visitation policy and should determine such things as:

- Where this resident is located in the facility that would facilitate a brief compassionate care visit that would minimize the traffic inside the facility that could pose a substantial risk to other residents such as the room near an exit door or at the very beginning of a hall.
- Limiting the number of visitors and the amount of time for the visit.
- Stringent infection control protocols and screening/testing of the visitors.

GENERAL

Are nursing facilities expected to adhere fully to the HHS guidance, including allowing for communal dining and other activities outlined on page 6 or the September 17, 2020 guidance?

Louisiana expects that all nursing facilities will follow the guidance set forth by HHS. However, Louisiana will expect that prudent infection control will be consistently practiced.