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PRESS RELEASE

Baker-Polito Administration Announces Additional Measures to Protect Health of Older Adults and Improve Quality of Life and Care

New Authority to Halt Admissions at High-Risk Long-Term Care Facilities, Updated Visitation & Activities Guidance, Staffing and Vaccine Reporting Requirements

FOR IMMEDIATE RELEASE:

11/06/2020

Executive Office of Health and Human Services

MEDIA CONTACT

Brooke Karanovich, Media Relations Manager

Online

Brooke.Karanovich2@mass.gov (mailto:Brooke.Karanovich2@mass.gov)

BOSTON — The Baker-Polito Administration today announced additional measures to protect the health and safety of residents in long-term care facilities, released updated visitation guidance to improve resident quality of life, and built on actions taken throughout the fall to support long-term care residents and staff and implement long-term reforms (/news/baker-polito-administration-announces-new-nursing-facility-accountability-and-supports) to the industry.

The Administration has provided significant supports to long-term care facilities to support the health and safety of residents and staff, who have been disproportionately impacted by COVID-19. As cases rise across Massachusetts, adherence to infection control standards, adequate staffing levels, and continued surveillance testing in nursing homes is more important than ever. The announcements made today will allow for swift intervention by the state to mitigate the spread of this virus in facilities with high risk factors that pose a threat to the health, safety and welfare of residents and staff.

Temporary Admissions Freezes at High-Risk Nursing and Rest Homes

Through a Department of Public Health (DPH) (/doc/control-of-covid-19-in-long-term-care-facilities/download)**Public Health Order** (/doc/control-of-covid-19-in-long-term-care-facilities/download) (/doc/control-of-covid-19-in-long-term-care-facilities/download)and corresponding guidance, the Administration will impose temporary admissions freezes at certain nursing homes and rest homes to prevent and contain uncontrolled transmission of COVID-19. EOHHS is monitoring several risk factors to determine which facilities pose the greatest risk. During an admissions freeze, a facility must stop admitting any new residents until conditions within the facility improve. These factors include:

- COVID-19 cases within the facility
- Staffing levels
- Failure to report a lack of adequate PPE, supplies or staff
- Infection control survey results
- Surveillance testing compliance

If a facility meets certain criteria, DPH will take assertive action, sending formal notice to these facilities and performing an immediate infection control survey. These facilities will be required to halt admissions immediately and may be subject to financial penalties from MassHealth.

In addition to the admissions freeze, the Commonwealth will continue to provide targeted supports to ensure the safety of residents. This includes staffing supports through the deployment of rapid response staffing teams, emergency PPE from the state stockpile, and infection control technical assistance from state epidemiologists.

Updated Visitation & Group Activities Guidance

To further support resident quality of life, visitation and group activities, DPH has **updated** (/doc/limitation-on-visitors-in-long-term-care-facilities-during-the-covid-19-outbreak/download)**guidance** () to balance the safety of residents, staff, and visitors with the important role social interaction and visitation plays in a resident's emotional well-being, especially as we approach the holiday season.

Specifically, the updated guidance:

- Increases the minimum length of any visit from 30 minutes to 45 minutes
- Prohibits facilities from creating policies for out of state visitors that are more restrictive than the **Governor's Travel Order** (/info-details/covid-19-travel-order)

- Aligns the definition of compassionate care visits with **federal guidance** (https://www.cms.gov/files/document/qso-20-39-nh.pdf), which encompasses more than end of life situations
- Specifies criteria to ensure safe indoor group activities, including spacing between residents and frequent cleaning
- Allows facilities to use point of care (POC) rapid antigen testing for visitors

DPH surveyors will examine the facility's visitation policy during infection control surveys. In addition, if a facility is not adhering to the state's visitation guidance, and loved ones are being inappropriately restricted from visiting residents, the facility will be referred to DPH's Complaint Intake Unit for follow-up and potential investigation.

Staffing Reporting Requirements

As a component of the **Accountability and Supports Package 2.0,** (/doc/covid-19-nursing-facility-accountability-and-supports-package-20/download) MassHealth will begin **requiring** () nursing homes to **report hours per patient day (HPPD) staffing levels** (/doc/nursing-facility-bulletin-155-reporting-on-staff-hours-and-staffing-preparedness-for-nursing-0/download) on a bi-weekly basis, along with information on contingency staffing plans, including the use of agency staff. Facilities will be required to submit their first report on November 27, 2020. This information will be used to monitor facilities and inform potential interventions such as the deployment of staffing supports and/or a temporary admissions freeze.

This is the first step in implementing the HPPD staffing minimums that facilities must adhere to as outlined in the **Accountability and Supports Package 2.0** (/doc/covid-19-nursing-facility-accountability-and-supports-package-20/download).

Enforcement and Reporting of Staff Flu Vaccine Requirements

DPH released **updated guidance** (/doc/flu-vaccine-order-ltc-adh-dialysis/download) to establish clear reporting deadlines that emphasize the importance of vaccination early in the influenza season while further defining financial penalties for non-compliance, following the strengthened flu vaccine requirements for staff working with older adults in long-term care facilities, ALRs, adult day health programs, and out-of-hospital dialysis units. These providers will be required to submit data by January 15, 2021 documenting that all staff have either received the flu vaccine by the end of 2020 or declined based on a religious or medical exemption. If facilities do not report data on all staff, they will face financial penalties of $50 per day per staff member violation.

Immunization is the most effective method for preventing infection of the flu, and staff at long-term care facilities and other health care providers serving vulnerable populations play an important role in stopping its spread.

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Media Contact

Brooke Karanovich, Media Relations Manager

Online

Brooke.Karanovich2@mass.gov (mailto:Brooke.Karanovich2@mass.gov)

Executive Office of Health and Human Services

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