



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

DATE: September 9, 2020
TO: Adult Care Facility Operators and Administrators
FROM: New York State Department of Health

Health Advisory: Visitation in Adult Care Facilities

**Please distribute immediately to:
Adult Care Facility Administrators**

On March 13, 2020, the Department of Health (“Department”) issued guidance to adult care facilities (ACFs) limiting visitation to medically necessary or end-of-life services. Such guidance was updated July 10, 2020. The guidance further provided that facilities where one or more residents tested positive for COVID-19 should cancel congregate meals and activities. The Department will permit the reopening of ACFs who meet specific benchmarks and develop a reopening plan via the [NY Forward Safety Plan](#).

Nothing in this directive changes the guidance previously issued relative to visitation for medically necessary or end-of life services.

ACFs may resume visitation and specified additional activities **from the date of this advisory** and under the following conditions:

1. The ACF completed the NY Forward Safety Plan, submits a copy of the completed plan to covidadultcareinfo@health.ny.gov, and retains the original onsite at the facility where it is easily accessible upon request of the Department or local health department. Such plan shall include attestation of compliance with all State and federal guidelines as described in number 6 below.
2. The ACF has complied with the staff testing requirements, including furlough of staff having tested positive for COVID-19 and the facility has no staffing shortages.

All of the consenting in-house ACF residents have undergone diagnostic COVID-19 testing, and the most recently submitted daily HERDS report indicates no new confirmed staff or resident cases in the last fourteen (14) days based on the HERDS report date.

4. The ACF has undergone an Infection Control survey on or after May 1, 2020 by the Department and found to be in substantial compliance.
5. The ACF is compliant with all reporting requirements associated with COVID-19 response, including but not limited to the daily HERDS and weekly staff testing surveys, and is compliant with all applicable guidance. Approved plans of correction have been received for all citations related to the aforementioned reporting requirements.
6. The ACF is in full compliance with all applicable State regulations, Executive Orders, and State guidance related to the COVID-19 Public Health Emergency.

7. A copy of the ACF's formal visitation plan is posted to their public website and broadcast via email or social media to provide visitors with clear guidelines for visiting, and to announce if and when visitation is paused due to an increase in the number of residents and/or staff with a confirmed positive COVID-19 diagnosis.

When an ACF meets all of the criteria above, the ACF may:

1. Only allow for visitors (including resident advocates, peer bridgers and care managers) if:
 - a. Visitor is 18 years of age or older or accompanied by an adult 18 years of age or older.
 - b. Adequate staff are present to allow for personnel to help with the transition of residents, monitoring of visitation, and cleaning and disinfecting visitation areas after each visit.
 - c. The ACF maintains signage regarding facemask utilization and hand hygiene practices and uses applicable floor markings to cue social distancing delineations.
 - d. Visitors are screened for signs and symptoms of COVID-19 prior to resident access and are refused access if they exhibit any symptoms or do not pass the screening questions. Screening must consist of both temperature checks and asking screening questions to assess potential exposure to COVID-19 which shall include questions regarding international travel or travel to other states designated under the Commissioner's travel advisory. The facility must maintain documentation of the screening questions asked onsite and make it available upon the Department's request.
 - e. Documentation of visitor screening must be maintained onsite in an electronic format and available upon the Department's request for purposes of inspection and potential contact tracing. Documentation **must** include the following for each visitor or representative of the long-term care ombudsman program (LTCOP) to the ACF:
 - i. First and last name of the visitor;
 - ii. Physical (street) address of the visitor;
 - iii. Daytime and evening telephone number;
 - iv. Date and time of visit;
 - v. Email address if available; and
 - vi. A notation indicating the individual cleared the screening (both temperature and questions) that does not include any individual temperatures or other individual specific information.
 - f. Areas where visitors and residents meet are appropriately disinfected between visitations using an EPA-approved disinfectant.
 - g. There is adequate PPE to ensure residents wear a facemask or face covering during visitation.
 - h. Visitors maintain social distancing and wear a face covering at all times. The facility will provide a facemask if the visitor shows up lacking a face covering.
 - i. Facilities provide alcohol-based hand sanitizer to visitors and residents, and staff demonstrate appropriate use.
 - j. Facilities establish additional guidelines as needed to ensure resident and staff safety and continuity of facility operations. Such guidelines shall include provisions for limiting the number of visitors at any one time and limited visitor hours to ensure all residents may have visitation.

- k. Visitation should be limited to outdoor areas, weather permitting. Under certain limited circumstances, as determined by the facility, visitation can be inside in a well-ventilated common space with no more than 10 individuals who are appropriately socially distanced and wear a facemask or face covering while in the presence of others.
 - l. At no time shall the total number of visitors exceed 10 percent of the in-house resident census.
 - m. Currently COVID-19 positive residents, residents with COVID-19 signs or symptoms, and residents in a 14-day quarantine or observation period are not eligible for visits.
 - n. The ACF should develop a short, easy-to-read fact sheet outlining visitor expectations including appropriate hand hygiene and face covering requirements. The fact sheet must be provided upon initial screening to all visitors.
2. Allow for resumption of external renovation projects with written consent of the applicable regional office of the Department subject to receipt of a requisite Resident Safety Plan and/or licensure project via NYSECON and weekly staff testing of the contractor staff consistent with Executive Order. Those renovation projects impacting resident space are not currently permitted.

Representatives of the LTCOP are permitted as visitors in accordance with this guidance without obtaining a COVID-19 test result. However, in order for LTCOP representatives to visit an adult care facility or its residents in an instance where the adult care facility has not submitted a New York Forward Safety Plan pursuant to this guidance, the representative must obtain COVID-19 negative test in accordance with the Department's [July 3, 2020 guidance](#).

A team must be appointed by the operator which shall include, at a minimum, the administrator, case manager and quality assurance manager, to review compliance with this Health Advisory. Please note if any visitor fails to adhere to the protocol, he/she/they will be prohibited from visiting during the duration of the COVID-19 State-declared public health emergency.

Hours of visitation during this public health emergency must be clearly delineated in policy and within the visitation fact sheet. Adult care facilities with positive COVID cases of residents and/or staff are reminded that communal dining and activities remain suspended. Violations of this directive will result in the imposition of fines and additional enforcement remedies.

If the ACF fails to comply with the requirements listed in this advisory or fails to meet the benchmarks associated with maintaining limited visitation, the ACF shall immediately halt visitation and inform the appropriate regional office of the Department. In addition, the New York State Department of Health can halt visitation and at the ACF at any time due to community or facility spread of infection or based on the Department's identification of failure to comply with one or more elements of this advisory.

In summary, while these guidelines are intended to restart limited visitation, the Department reserves the right to restrict visitation at any point. Failure to follow these guidelines may result in restriction or revocation of visitation and additional remedies as applicable.

Information for healthcare providers on topics related to COVID-19 is readily available on the Department of Health public website at <https://coronavirus.health.ny.gov/information-healthcare-providers>.

Thank you for your ongoing support and cooperation in responding to COVID-19 concerns.

Questions may be routed to covidadultcareinfo@health.ny.gov.



NY FORWARD SAFETY PLAN TEMPLATE

Each business or entity, including those that have been designated as essential under Empire State Development's Essential Business Guidance, must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. A business may fill out this template to fulfill the requirement, or may develop its own Safety Plan. **This plan does not need to be submitted to a state agency for approval** but must be retained on the premises of the business and must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.

Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: [forward.ny.gov](https://www.forward.ny.gov). If your industry is not included in the posted guidance but your business has been operating as essential, please refer to ESD's [Essential Business Guidance](#) and adhere to the guidelines within this Safety Plan. Please continue to regularly check the New York Forward site for guidance that is applicable to your business or certain parts of your business functions, and consult the state and federal resources listed below.

COVID-19 Reopening Safety Plan

Name of Business:

Industry:

Address:

Contact Information:

Owner/Manager of Business:

Human Resources Representative and Contact Information, if applicable:

I. PEOPLE

A. Physical Distancing. To ensure employees comply with physical distancing requirements, you agree that you will do the following:

- Ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance. Any time personnel are less than 6 ft. apart from one another, personnel must wear acceptable face coverings.
- Tightly confined spaces will be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, will keep occupancy under 50% of maximum capacity.

- Post social distancing markers using tape or signs that denote 6 ft. of spacing in commonly used and other applicable areas on the site (e.g. clock in/out stations, health screening stations)
- Limit in-person gatherings as much as possible and use tele- or video-conferencing whenever possible. Essential in-person gatherings (e.g. meetings) should be held in open, well-ventilated spaces with appropriate social distancing among participants.
- Establish designated areas for pick-ups and deliveries, limiting contact to the extent possible.

List common situations that may not allow for 6 ft. of distance between individuals. What measures will you implement to ensure the safety of your employees in such situations?

How you will manage engagement with customers and visitors on these requirements (as applicable)?

How you will manage industry-specific physical social distancing (e.g., shift changes, lunch breaks) (as applicable)?

II. PLACES

A. Protective Equipment. To ensure employees comply with protective equipment requirements, you agree that you will do the following:

- Employers must provide employees with an acceptable face covering at no-cost to the employee and have an adequate supply of coverings in case of replacement.

What quantity of face coverings – and any other PPE – will you need to procure to ensure that you always have a sufficient supply on hand for employees and visitors? How will you procure these supplies?

- Face coverings must be cleaned or replaced after use or when damaged or soiled, may not be shared, and should be properly stored or discarded.

What policy will you implement to ensure that PPE is appropriately cleaned, stored, and/or discarded?

- Limit the sharing of objects and discourage touching of shared surfaces; or, when in contact with shared objects or frequently touched areas, wear gloves (trade-appropriate or medical); or, sanitize or wash hands before and after contact.

List common objects that are likely to be shared between employees. What measures will you implement to ensure the safety of your employees when using these objects?

B. Hygiene and Cleaning. To ensure employees comply with hygiene and cleaning requirements, you agree that you will do the following:

- Adhere to hygiene and sanitation requirements from the [Centers for Disease Control and Prevention \(CDC\)](#) and [Department of Health \(DOH\)](#) and maintain cleaning logs on site that document date, time, and scope of cleaning.

Who will be responsible for maintaining a cleaning log? Where will the log be kept?

- Provide and maintain hand hygiene stations for personnel, including handwashing with soap, water, and paper towels, or an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not feasible.

Where on the work location will you provide employees with access to the appropriate hand hygiene and/or sanitizing products and how will you promote good hand hygiene?

- Conduct regular cleaning and disinfection at least after every shift, daily, or more frequently as needed, and frequent cleaning and disinfection of shared objects (e.g. tools, machinery) and surfaces, as well as high transit areas, such as restrooms and common areas, must be completed.

What policies will you implement to ensure regular cleaning and disinfection of your worksite and any shared objects or materials, using [products](#) identified as effective against COVID-19?

C. Communication. To ensure the business and its employees comply with communication requirements, you agree that you will do the following:

- Post signage throughout the site to remind personnel to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfecting protocols.
- Establish a communication plan for employees, visitors, and customers with a consistent means to provide updated information.
- Maintain a continuous log of every person, including workers and visitors, who may have close contact with other individuals at the work site or area; excluding deliveries that are performed with appropriate PPE or through contactless means; excluding customers, who may be encouraged to provide contact information to be logged but are not mandated to do so.

Which employee(s) will be in charge of maintaining a log of each person that enters the site (excluding customers and deliveries that are performed with appropriate PPE or through contactless means), and where will the log be kept?

- If a worker tests positive for COVID-19, employer must immediately notify state and local health departments and cooperate with contact tracing efforts, including notification of potential contacts, such as workers or visitors who had close contact with the individual, while maintaining confidentiality required by state and federal law and regulations.

If a worker tests positive for COVID-19, which employee(s) will be responsible for notifying state and local health departments?

III. PROCESS

A. Screening. To ensure the business and its employees comply with protective equipment requirements, you agree that you will do the following:

- Implement mandatory health screening assessment (e.g. questionnaire, temperature check) before employees begin work each day and for essential visitors, asking about (1) COVID-19 [symptoms](#) in past 14 days, (2) positive COVID-19 test in past 14 days, and/or (3) close contact with confirmed or suspected COVID-19 case in past 14 days. Assessment responses must be reviewed every day and such review must be documented.

What type(s) of daily health and screening practices will you implement? Will the screening be done before employee gets to work or on site? Who will be responsible for performing them, and how will those individuals be trained?

If screening onsite, how much PPE will be required for the responsible parties carrying out the screening practices? How will you supply this PPE?

B. Contact tracing and disinfection of contaminated areas. To ensure the business and its employees comply with contact tracing and disinfection requirements, you agree that you will do the following:

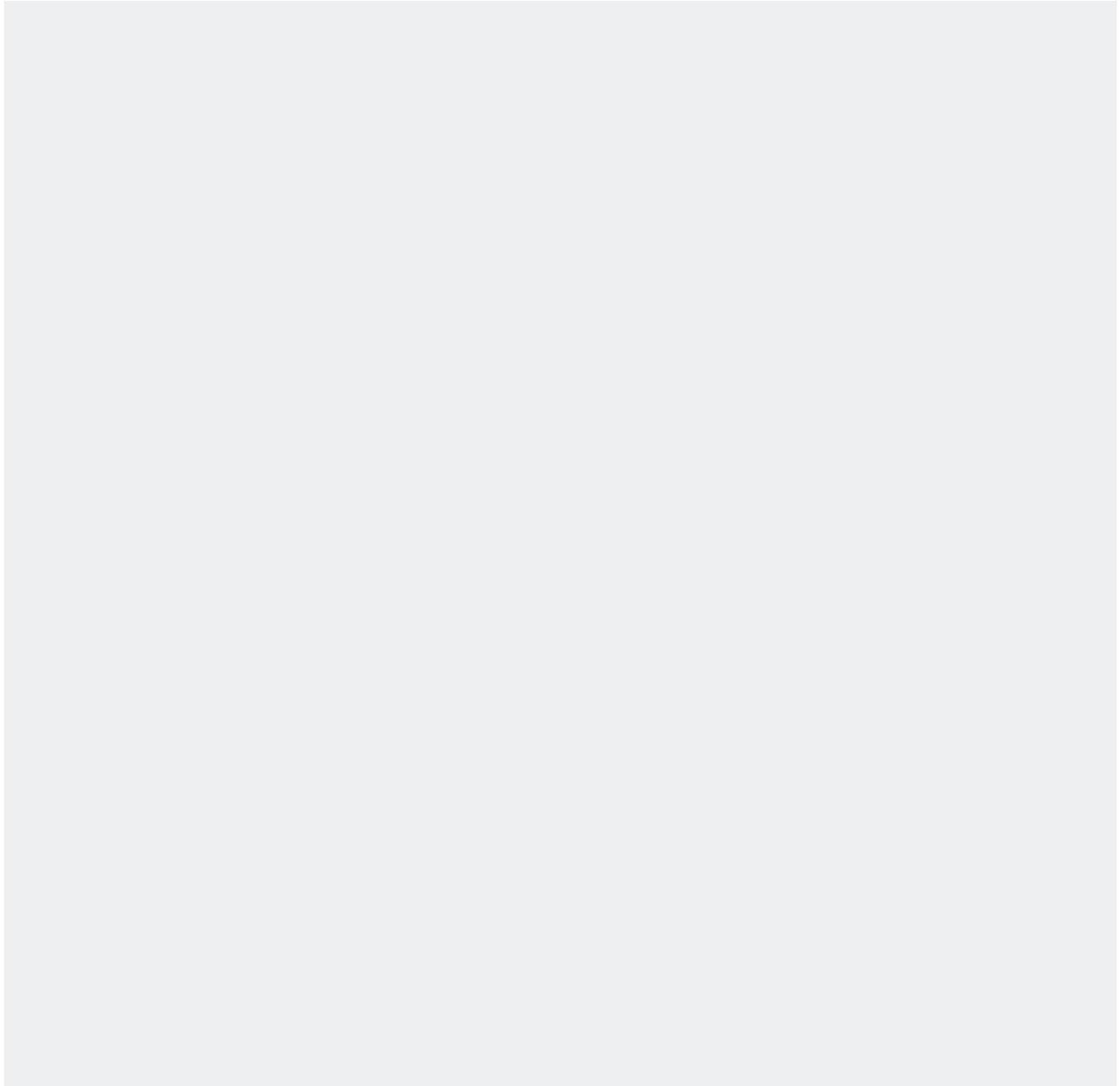
- Have a plan for cleaning, disinfection, and contact tracing in the event of a positive case.

In the case of an employee testing positive for COVID-19, how will you clean the applicable contaminated areas? What products identified as effective against COVID-19 will you need and how will you acquire them?

In the case of an employee testing positive for COVID-19, how will you trace close contacts in the workplace? How will you inform close contacts that they may have been exposed to COVID-19?

IV. OTHER

Please use this space to provide additional details about your business's Safety Plan, including anything to address specific industry guidance.



Staying up to date on industry-specific guidance:

To ensure that you stay up to date on the guidance that is being issued by the State, you will:

- Consult the NY Forward website at forward.ny.gov and applicable Executive Orders at governor.ny.gov/executiveorders on a periodic basis or whenever notified of the availability of new guidance.

STAY HOME.

STOP THE SPREAD.

SAVE LIVES.

State and Federal Resources for Businesses and Entities

As these resources are frequently updated, please stay current on state and federal guidance issued in response to COVID-19.

General Information

[New York State Department of Health \(DOH\) Novel Coronavirus \(COVID-19\) Website](#)

[Centers for Disease Control and Prevention \(CDC\) Coronavirus \(COVID-19\) Website](#)

[Occupational Safety and Health Administration \(OSHA\) COVID-19 Website](#)

Workplace Guidance

[CDC Guidance for Businesses and Employers to Plan, Prepare and Respond to Coronavirus Disease 2019](#)

[OSHA Guidance on Preparing Workplaces for COVID-19](#)

Personal Protective Equipment Guidance

[DOH Interim Guidance on Executive Order 202.16 Requiring Face Coverings for Public and Private Employees](#)

[OSHA Personal Protective Equipment](#)

Cleaning and Disinfecting Guidance

[New York State Department of Environmental Conservation \(DEC\) Registered Disinfectants of COVID-19](#)

[DOH Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19](#)

[CDC Cleaning and Disinfecting Facilities](#)

Screening and Testing Guidance

[DOH COVID-19 Testing](#)

[CDC COVID-19 Symptoms](#)

STAY HOME.

STOP THE SPREAD.

SAVE LIVES.