# Frequently Asked Questions: Long Term Care & COVID-19

# Version date: October 14, 2020

**This week’s call included a recap of the current orders, guidance and resources related to COVID in long term care settings.**

<https://docs.google.com/document/d/1XNFHWA3Rf-Pvb1i9HbYnCrNo5cba6Boeol7R-dxEr_4/edit>

**We also discussed residents’ right to vote and what level of support can be provided by families and staff members at this time. We provided an overview of clarification we received from the Michigan Department of State to some of the questions asked by our program** (excerpt below).

3. What are the restrictions for staff or an ombudsperson in handling completed ballots (chain of custody concerns)?

Response: Staff cannot take the ballot to the clerk’s office or a ballot drop box unless they are a member of the voter’s immediate family or a person residing in their household. MCL 168.764a. If a person regularly handles the mail (i.e. mail room staff) they can place the absentee ballots in the mailbox to be sent. Voters may also request that a representative from the clerk’s office come and pick up their ballot.

5. Can a staff member mail the ballot or drop it in a ballot drop box?

Response: No, staff cannot place the ballot in a ballot drop box unless they are a member of the voter’s immediate family or a person residing in their household. MCL 168.764a. A person who in the normal course of their duties handles the mail, can place the sealed ballot into the mail, as with other pieces of outgoing mail. Voters may request that a representative from the clerk’s office come and pick up their ballot.

6. Can a staff member assist a resident to complete the ballot?

Response: Yes, if requested by the voter. If a voter requests and receives assistance completing their ballot, the person who assisted them must complete the section on the return envelope entitled, “To be completed only if voter is assisted in voting by another person.” MCL 168.764a.

7. Who can assist a voter in completing their ballot?

Response: Any person that the voter asks. If a voter requests and receives assistance completing their ballot, the person who assisted them must complete the section on the return envelope entitled, “To be completed only if voter is assisted in voting by another person.” MCL 168.764a.

8. Can state staff be assigned for people who have complete immobility? Someone to read and actually mark the ballots for them? Like for people with ALS? Or, could a family member or staff do this?

Response: While state staff will not be able to perform this function, as noted above in Question #7, voters with disabilities may ask any person to assist in completing their ballot.

Voters will disabilities now also have the ability to request an accessible electronic absent voter ballot online, receive it electronically, and then use a computer to have it read to them and mark their ballot before printing it to be returned to the clerk. For more information, please go to the Michigan Department of State’s website at: <https://www.michigan.gov/sos/0,4670,7-127-1633_8716-27710--,00.html>. For an accessible electronic absent voter ballot online, please go to:

<https://sites.omniballot.us/26/absentee/app/home>.

9. What if the same person ended up assisting many residents in the same home? Is that a problem?

Response: No, it is not necessarily a problem, but could raise questions. It is important that the individual only assist people at their explicit request. It is, of course, also crucially important that the individual providing assisting not attempt to influence the absent voter on how he or she should vote, which would be a crime. Anyone who provides such assistance to a voter must complete the section on the return envelope entitled, “To be completed only if voter is assisted in voting by another person.” MCL 168.764a.

11. Can the voter have a ballot mailed to a different address than the one on their voter registration?

Response: Yes. Absentee ballot request forms have a section to provide a temporary mailing address where the clerk would mail your ballot. If they received their absentee ballot in their permanent home area, they can have their ballot sent to the facility to complete. If the resident is going to permanently live in the home, we would encourage them to change their voter registration to the place they currently live.