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

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1. **Are there any updated Executive Orders impacting long term care residents?**

Yes. Governor Whitmer signed Executive Order 2020-156 on July 23rd. This order continues the temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities. This replaces EO 2020-136 and is in effect until August 31, 2020. This order outlines the same visitation restrictions and requirements as the previous order.

1. **Is the MDHHS Epidemic Order issued on June 30th still effective?**

The MDHHS Epidemic Order released on June 30th remains in effective until such time it is rescinded. This order allows for residents to have visitors under limited circumstances including:

* Residents enrolled in Hospice
* Resident receiving end of life care but not enrolled in Hospice
* Residents who have had a serious decline and could benefit from ADL support from a visitor
* Residents whose wellbeing is at significant risk, based on the clinical judgment of a treating medical professional, where family visits are a potentially effective intervention
* Residents who experience a significant adverse change of condition

1. **Can you remind us of the facilities the MDHHS order covers?**

The order issued on June 30th applies to a wide array of licensed and unlicensed long term care facilities. It applies to:

* homes for the aged
* nursing homes
* adult foster care facilities
* hospice facilities
* substance abuse disorder residential facilities
* independent living facilities, and
* assisted living facilities
1. **What can a family member do if the resident meets the criteria for a visit and the facility does not allow the visit?**

We are hearing many concerns about residents who meet the visitation criteria, but the facility is not allowing the resident to have a visitor. We have also heard that more residents are being allowed to have visitors following the MDHHS guidance.

* First, we suggest that you ask the facility if they are familiar with the MDHHS Epidemic Order as they may not be aware it exists or that it is still in effect. Education can sometimes help the facility understand what can be allowed.
* If that doesn’t resolve the issue, ask what the reason is for denying the visit. Perhaps the facility does not have the staff to supervise the visit or has a recent in-house onset of a COVID-19 case. If the reason is not facility or resident specific, question why they feel the visit cannot be done safely.
* Contact the long term care ombudsman to ask for assistance in advocating for a visit.
* If the resident is on hospice, ask the Hospice doctor to write a physician order for the resident to have a visitor as this will benefit the resident’s wellbeing.
1. **Are there any general requirements for all visitors that we should expect the facilities to follow?**

Yes. There are many required procedures for these visits. These include:

* When visitors arrive, they should see signs that say all visitors must be screened and no one can enter if they have symptoms of COVID-19
* Visitors can enter only through entrances where they will be screened and must be screened each time they enter the facility. Visitors who don’t pass the screening—if, for example, they have a fever or have been exposed to someone with the virus—cannot enter the facility. If visitors do pass, their movement in the facility on the way to visit residents should be limited to reduce exposure.
* Visits can be by appointment only and facilities can impose reasonable time limits and must log arrival and departure times.
* Residents will be limited to no more than 2 visitors at a time.
* Only those visitors who are able to wear face covering for the whole visit and follow hand hygiene requirements are allowed in.
* Facilities must make hand sanitizer or hand washing available to visitors and post information on proper hand washing and sanitation.
* Facilities have to make staff who are trained in infection control available to assist with the visitor protocols, monitor visits, and clean after each visit.
* Visits should be outdoors if possible (with appropriate protections like shade) or in the resident’s room (if a single) or other location in the facility. If residents have to be transported outside their rooms for a visit, they cannot be taken through a COVID unit or exposed to residents who have COVID or may have it.
* Facilities must provide PPE if necessary to visitors and instruct visitors how to use it.
* Maintain social distancing (unless helping with ADLs).
* Visitors and residents are not supposed to share food.
* Visitors who develop symptoms of COVID-19 within 14 days of a visit to a facility must notify the facility.
* No visits will be allowed with COVID-positive residents or those under observation for COVID-19
1. **Can a facility refuse a visit even if the resident meets the criteria in the MDHHS order?**

Unfortunately, yes, the facility could refuse to allow a family member to visit if the facility is not able to provide for a safe visit. The facility may not have a staff person to screen the visitor, supervise the visit to ensure physical distancing and face coverings are honored, or they may have a current onset of a COVID case. We also believe that facilities will continue to ban visitors while the state is seeing an increase in community spread due to the fear of brining COVID into the building.

1. **What remedy is there if the facility still refuses to allow visits or unduly restricts visits even in the circumstances described in the Order or if there is disagreement if a situation falls within the Order or not?**

Please call your local ombudsman for help with these situations if they occur in a licensed facility. Please call the MEJI office at 517-827-8010 if they occur in an unlicensed facility. We are all still learning how this Order will be implemented and the remedies are not entirely clear, but we are glad to try to help work through these situations to permit visits when they should be permitted.

1. **What is the status of COVID Hub facilities in Michigan? What about Senate Bill 956?**

We understand that a number of the facilities designated by MDHHS to serve as Region COVID Hubs have been decommissioned. This is due the reduced need for these beds, which is a good sign for COVID recovery.

Senate Bill 956 (2020) passed both the Senate and the House and was sent to the Governor today. We don’t know if the Governor will sign the legislation into law or veto this piece of legislation.

Executive Order 2020-135 creates the bipartisan Michigan Nursing Homes COVID-19 Preparedness Task Force within the Michigan Department of Health and Human Services (DHHS). The Governor’s staff have indicated that placement of COVID positive residents will be addressed by this task force.

1. **Are the other groups to help support families that are being impacted by the visitation restrictions?**

Yes. We have talked before about The National Consumer Voice which is an advocacy organization for long term care residents, families, and ombudsmen. It has many resources available specifically related to COVID.

We just learned of a new group organizing in Michigan. It’s called **Michigan Caregivers for Compromise**. We found them on Facebook. They also have a national Facebook page (**Caregivers for Compromise**) and each state has started a group.

This may be an opportunity for family members and friends of residents to share your stories, learn how others are advocating for visits and identifying other care and service concerns, and combine your efforts for a strong voice to effect change.