

Frequently Asked Questions

Fourth Amended Director's Order to Limit Access to Ohio's Nursing Homes and Similar Facilities, with Exceptions

Residents of long-term care facilities are among the most vulnerable for COVID-19 and comprise a high percentage of COVID-19 deaths in Ohio.

Effective July 20, 2020, all "Homes" as that term is defined in R.C. 3721.01, including licensed nursing facilities and residential care facilities, are subject to the Fourth Amended Director's Order to Limit Access to Ohio's Nursing Homes and Similar Facilities, with Exceptions (Order). The Order permits outdoor visitation so long as all necessary safety precautions and protocols are followed.

The decision to move forward with outdoor visitation is the culmination of many things: (1) the impact on the quality of life a prolonged loss of connection can have on an individual; (2) requests from families and residents; (3) consultation with advocates and providers in the aging and development disabilities communities; and (4) guidelines for visitation jointly developed by the Academy for Senior Health Sciences, Leading Age Ohio, the Ohio Assisted Living Association, the Ohio Health Care Association, and the Ohio Medical Director's Association.

In addition to these things, facilities are encouraged to maintain, and in some cases enhance, virtual options to augment phased reopening (i.e. FaceTime, Skype, and Zoom). The State Long-Term Care Ombudsman, an office within the Ohio Department of Aging, is a resource to resolve questions and concerns.

This frequently asked questions (FAQ) document was created to help answer any questions facility administrators, staff, residents, or families may have about outdoor visitation. This document will be updated as necessary over time.

Please note, this FAQ is not intended to be inclusive of all potential scenarios presented by the Order. Homes are required to use their best judgment in deciding readiness to continue or commence outdoor visitation, and shall consider all the following as a part of developing a comprehensive plan to commence outdoor visitation:

1. Case status in surrounding community (which should involve consideration of the Ohio Public Health Advisory System and all associated risk levels);
2. Case status in the home(s);
3. Staffing levels;
4. Access to adequate testing for residents and staff;
5. Personal protective equipment supplies; and
6. Local hospital capacity.

Homes with questions regarding compliance with the Order should first consult with their individual business, human resources, clinical, and legal staff to develop policies and procedures consistent with the Order and this FAQ.

Any other questions or concerns can be sent to the Congregate Care Unified Response Teams at CCURT@odh.ohio.gov or please visit www.coronavirus.ohio.gov for more information.

Question	Answer
<p>1 What, if any, consequences are there for not offering outdoor visitation?</p>	<p>Please note the Order does not require, but rather <i>permits</i> Homes to offer outdoor visitation.</p> <p>The decision of whether to offer outdoor visitation or whether a Home is ready to offer outdoor visitation is within the discretion of the Homes. However, all Homes are encouraged, to the extent practicable and safe for residents and staff, to commence outdoor visitation.</p>
<p>2 What does substantial compliance mean as it relates to the May 27, 2020 Director’s Order for Testing of Nursing Home Residents and Staff?</p>	<p>It is expected that all necessary safety precautions and protocols are in place prior to allowing any outdoor visitation. For purposes of compliance with the Testing Order, the expectation is that most, if not all, testing would be complete prior to offering outdoor visitation.</p> <p>By way of example <u>only</u>, a Home may have all testing results back except for a few staff members. In this scenario, the Home could be in substantial compliance so long as staff members. In this scenario, the Home could be in substantial compliance so long as staff without test results would comply with public health guidance. However, if the same few staff members were necessary to facilitating outdoor visitation, a Home may not be in substantial compliance.</p> <p>It is expected that all necessary safety precautions and protocols are in place prior to allowing any outdoor visitation. For purposes of compliance with the Testing Order, the expectation is that most, if not all, testing would be complete prior to offering outdoor visitation.</p> <p>By way of example <u>only</u>, a Home may have all testing results back except for a few staff members. In this scenario, the Home could be in substantial compliance so long as staff without test results would comply with public health guidance. However, if the same few staff members were necessary to facilitating outdoor visitation, a Home may not be in substantial compliance.</p> <p>Additionally, the Order requires facilities to consider all the following as a part of developing a comprehensive plan to manage outdoor visitation:</p> <ol style="list-style-type: none"> 1. Case status in surrounding community (which should involve consideration of the Ohio Public Health Advisory System and all associated risk levels); 2. Case status in the home; 3. Staffing levels; 4. Access to adequate testing for residents and staff; 5. Personal protective equipment supplies; and 6. Local hospital capacity.

3	May family members or moving companies assist residents while moving into or out of a facility?	<p>Currently, the Order only permits outdoor visitation. Nothing in the Order currently permits family members, or a moving company, to access a Home, except in end-of-life situations.</p> <p>However, nothing would prevent family members or a moving company from assisting in moving an individual to or from a Home, so long as no one entered the Home. For example, staff and residents can pack belongings and place them outside for movers or family members to retrieve when moving from a Home. Similarly, movers or family members can deliver packed belongings to a designated outdoor area at the facility to be moved inside and unpacked by staff or residents when moving into a Home.</p>
4	What happens when the Ohio Public Health Advisory System is at a risk level of red or purple? Is outdoor visitation permitted?	<p>The Ohio Public Health Advisory System, with four (4) different levels of risk, is a color-coded system <u>designed to supplement</u> existing statewide Orders, including the Order released July 2, 2020.</p> <p>When determining the appropriateness of scheduling outdoor visitation for residents, Homes should use the Ohio Public Health Advisory System to assist in developing a comprehensive plan for outdoor visitation, as well as considering all implications for resident physical and mental well-being, as required by the Order.</p> <p>For instance, during periods of high-risk levels, Homes may consider limitation of outdoor visitation for residents, on a case-by-case basis. However, it must be noted that none of the currently identified risk levels require outdoor visitation to be completely terminated.</p>
5	Have assisted living facilities shared best practices with nursing homes to explain how nursing homes can best open visitation to family members?	<p>The state has collaborated with and sought the guidance of all provider types in developing the Order and associated guidance and FAQ. Additionally, the state has facilitated the sharing of best practices to the entire provider network.</p> <p>The state has collaborated with and sought the guidance of all provider types in developing the Order and associated guidance and FAQ. Additionally, the state has facilitated the sharing of best practices to the entire provider network and will continue to update and share resources as appropriate.</p>
6	When a facility utilizes window visits, is it permissible for the window to be open?	<p>Nothing in the Order would prohibit this approach to outdoor visitation, so long as all of requirements of the Order are followed (e.g., masks, social distancing).</p>

7	<p>Must a facility be in substantial compliance with the Testing Order to allow beauticians back in the building on July 20?</p>	<p>The Order requires Homes to follow testing requirements for <u>all staff</u>. Whether or not this applies to beauticians will depend on whether a beautician is a member of staff. If the beautician is not a member of staff, he/she is not subject to the Testing Order. However, testing is still strongly recommended.</p> <p>Homes must follow COVID-19 protocols and all sector-specific COVID-19 information and checklists as established by the state for hair salons in “Director’s Order that Reopens Hair Salons, Nail Salons, Barber Shops, Tattoo Parlors, Body Piercing Locations and Tanning Facilities, with Exceptions.”</p>
8	<p>May the interpretation of essential services be loosened, at facility discretion and subject to infection control procedures and perhaps even testing, to allow ancillary service providers (e.g., podiatrist) to enter facilities?</p>	<p>Personnel who are necessary for the operation of Homes include contracted and emergency healthcare providers. Therefore, podiatrists and other similar service providers may already be covered under the Order, if they are contracted with the Home or are an emergency healthcare provider.</p> <p>At this time, particularly given the rise in COVID-19 cases and spread, there are no plans to loosen the interpretation of essential services or include other service provider types.</p>
9	<p>May visitors help facilitate religious practices with residents if requested by residents (e.g., communion)?</p>	<p>The goal of the Order is to allow safe outdoor visitation which is contact-free to the greatest extent possible. If there are contact-free ways to accommodate religious practices at resident request, Homes should help facilitate this to the extent feasible.</p> <p>Pursuant to the Order, Homes should encourage residents and visitors to have a contact-free visit. If contact does occur, the resident shall wash hands thoroughly upon returning indoors and, if possible, change clothes upon returning indoors. Items such as wheelchairs or other touched items shall be cleaned and disinfected.</p>