



Long-Term Care Regulatory Provider Letter

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| Number: PL 20-13 |
| Title: Guidance on COVID-19 Response in Assisted Living Facilities (ALF) |
| Provider Types: Assisted Living Facility (ALF) |
| Date Issued: March 19, 2020 |

1.0 Subject and Purpose

Based on state law, federal guidance and Governor Abbott's disaster declaration, HHSC is updating licensure requirements for assisted living facilities to assist them in protecting the residents in their care. Texas law generally provides residents of ALFs a right to visitors. However, under Texas Health and Safety Code, Chapter 247, [Section 247.064\(d\)](#), a resident's right to visitation can be restricted in order to protect the health and safety of residents. Facilities must follow the guidance in this letter or adhere to Center for Disease Control (CDC) guidance/requirements, whichever is more stringent.

Prohibition of Nonessential Visitors

Due to the escalating situation of the COVID-19 (coronavirus), the Texas Health and Human Services Commission (HHSC) issues this guidance to ALFs to reduce the risk of spreading the virus to residents.

ALFs should prohibit all nonessential visitors given the significant health and safety risk to medically fragile residents posed by COVID-19 (coronavirus).

Essential visitors include providers of essential services, such as contract doctors, contract nurses, home health and hospice workers, and EMS, whose services are necessary to ensure resident health and safety; individuals with legal authority to enter such as law enforcement officers, representatives of Disability Rights Texas, the Long-term Care Ombudsman's office and HHSC

surveyors whose presence is necessary to ensure the ALF is protecting residents and providing appropriate care; and family members and loved ones of residents at the end of life.

All essential visitors should be screened as described below and practice hand hygiene prior to and during the visit.

During this time, the facility should provide alternate means of communication for people who would otherwise visit, such as virtual communications (e.g. video or telephone conferencing systems) to promote ongoing contact between residents and their loved ones.

****ALFs should not require screening of emergency services personnel in the event of an emergency****

Recommended Screening of Essential Visitors

Essential visitors may be allowed access unless they meet any of the following screening criteria:

- Fever or signs or symptoms of a respiratory infection, such as cough, shortness of breath, or sore throat;
- Contact in the last 14 days with someone who has a confirmed diagnosis of COVID-19, is under investigation for COVID-19, or is ill with respiratory illness; or
- Traveled within the previous 14 days to a country with sustained community transmission. For updated information on affected countries visit: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>

The facility should take precautions and screen all visitors to ensure they do not meet the above criteria. Temperature checks should be performed and hand sanitizer should be available to all essential visitors prior to entry.

2.0 Policy Details & Provider Responsibilities

Recommended Screening and 14-day Monitoring for Residents Who Leave the Facility and Return

If a resident leaves an ALF temporarily for a community visit with the resident's family, the resident must be screened upon return to the ALF according to the above criteria. If the resident meets any of the screening criteria, the ALF should allow the resident to return to the ALF and follow the CDC protocol for isolating the resident to protect other residents.

Additional Recommendations

ALFs should do the following:

1. Follow guidance issued by:
 - a. The [Centers for Disease Control](#) (CDC)
 - b. The [Department of State Health Services](#) (DSHS)
 - c. The [Health and Human Services Commission](#) (HHSC)
 - d. Their local public health department
2. Ensure the facility has an Emergency Preparedness Plan that addresses all required elements as addressed in 26 Texas Administrative Code (TAC) [§553.44](#) including:
 - a. Universal precautions by using personal protective equipment (PPE) supplies, conservation strategies, and strategies to address possible shortages
 - b. Staffing and contingency plans
 - c. Provision of health and safety services such as dialysis, oxygen, and hospice services
 - d. Ensuring uninterrupted supplies such as linen, food, medications, and other needed supplies
3. Comply with all infection control requirements as required in 26 TAC [§553.41\(n\)](#), including:

- a. Reinforcing strong hygiene practices for residents and staff such as proper handwashing, covering of coughs and sneezes and use of hand sanitizer
 - b. Properly clean, disinfect, and limit sharing of medical equipment between residents and areas of the facility
 - c. Regularly disinfect all workspaces such as nurse's stations, phones, and internal radios
 - d. Actively and consistently monitor residents for potential symptoms of respiratory infection
4. Have personal protective equipment (PPE) available. If facilities are unable to obtain PPE, they will not be cited for not having certain supplies if they cannot obtain them for reasons outside their control. However, we do expect ALFs to take actions to mitigate any resource shortages and show they are taking all appropriate steps to obtain the necessary supplies as soon as possible. For example, if there is a shortage of hand sanitizer, we expect staff to practice effective hand washing with soap and water. Similarly, if there is a shortage of PPE (e.g., due to supplier(s) shortage which may be a regional or national issue), the ALF must contact the local and state public health agencies to notify them of the shortage, follow national guidelines for optimizing their current supply, or identify the next best option to care for the facility.
 5. Protect individuals by refraining from attending public events where large numbers of people are gathered. Communal dining and all group activities should also be cancelled.
 6. Meet their staffing requirements and ensure sufficient staff are available to meet resident needs.¹
 7. Display visible signage at all entrances to address the screening criteria in section 1.0 above prior to allowing access to residents. Signage should also include language to discourage visits, such as recommending visitors defer their visit for another time or to list

¹ See 26 Texas Administrative Code (TAC) §553.41(a)(3).

exceptions for essential visitors as defined in section 1.0 above. The signage should remain in place until further guidance is issued by HHSC.

8. Disinfect the area following a visitor's exit from the location.
9. Offer alternate means of communication during this time of limited visitation, such as:
 - a. Phone calls, video calls, or other means of electronic communication
 - b. Offering a phone line with voice recording updated at set times (e.g., daily) with the facility's general operating status, such as when it is safe to resume visits
10. Actively and consistently monitor residents for potential symptoms of respiratory infection. They should ensure the resident's physician is notified immediately² of any residents who begin exhibiting symptoms such as fever, cough, or shortness of breath.
11. Contact the local health department, or the Department of State Health Services (DSHS) if there is no local health department, if:
 - a. the facility has questions related to COVID-19,
 - b. the facility suspects a resident has COVID-19, or
 - c. there is an increase in the number of respiratory illnesses among residents or staff.
12. Ensure that the facility is equipped with soap, commercially produced hand sanitizer, and any other disinfecting agents to maintain a healthful environment. Facilities must not use homemade hand sanitizer.
16. Staff must ensure precautions such as, but not limited to:
 - a. Limiting physical contact, such as handshaking, hugging, etc.
 - b. Reinforcing strong hygiene practices for residents and staff, such as proper handwashing, covering of coughs and sneezes, and the use of hand sanitizer
 - c. Practicing social distancing
 - d. Using gloves when supporting individuals

² See 26 TAC §553.41(k)(1)(B).

- e. Regularly disinfecting all high-touch surfaces, such as hand rails, door knobs, telephones, etc.
- 17. Provide staff with adequate office supplies to avoid sharing.
- 18. Maintain documentation to demonstrate compliance.

3.0 Background/History

ALFs have the responsibility to protect the health and safety of residents under their care at all times. State guidance indicates that COVID-19 presents a significant health and safety risk to ALF residents, most of whom have serious underlying health conditions that make them especially vulnerable to communicable diseases. The best method of protecting them from infection is to keep the infection out of the facility.

4.0 Resources

Centers for Disease Control [*Preparing for COVID-19: Long-term Care Facilities, Nursing Homes.*](#)

Centers for Disease Control [*Interim U.S. Guidance for Risk Assessment and Public Health Management of Healthcare Personnel with Potential Exposure in a Healthcare Setting to Patients with Coronavirus Disease \(COVID-19\)*](#)

Governor Greg Abbott's Disaster Proclamation is provided at https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf.

5.0 Contact Information

If you have any questions about this letter, please contact the HHSC Policy, Rules, and Training unit by email at PolicyRulesTraining@hhsc.state.tx.us or call (512) 438-3161.