
EFFECTIVE IMMEDIATELY
**ATTENTION ALL: NURSING HOMES, ASSISTED LIVING
FACILITIES, ADULT DAY CARES, HOSPICE FACILITIES,
AND REHABILITATION FACILITIES WITH OLDER ADULT PATIENTS**

APRIL 17, 2020

The New Mexico Department of Health has received numerous reports of non-compliance regarding the letter sent to you on March 19, 2020 in accordance with the Public Health Order dated on March 13, 2020. The letter explained the mandatory limitations on visitations to nursing facilities within the state; including nursing homes, assisted living facilities, adult day cares, hospice facilities and rehabilitation facilities with older adult patients. In addition to the items outlined in that letter, please note the following must be implemented effective immediately:

Facility Testing

You will be required to test residents and staff as part of a statewide effort to mitigate, monitor and track Covid-19 cases. If the number of test kits required are unavailable, you will inform the Department of Health and work with their staff to identify a plan to get the test kits required. Test kits can be requested by contacting the DOC at (505) 476-8284 or by e-mail at Coordinator.DOC@state.nm.us. The test kits will be provided to you along with complete instructions. More guidance on testing procedures for facilities will be forthcoming.

Visitation Strictly Prohibited

Continue to follow the visitor limitation guidance as outlined in the March 26, 2020 Final Visitation Guidance. "Resident visitation is limited to certain end-of-life care situations. Decisions about visitation during an end of life situation should be made on a case by case basis. All visitors shall be screened according to the Department of Health (DOH) Public Health Order issued on March 13, 2020. Visitation in these situations should be made with strict guidelines, such as being limited to a specific room. Personal Protective Equipment (PPE), such as facemasks, should be provided if they are available. Provide instruction on performing hand hygiene, limiting surfaces touched and use of PPE according to current facility policy while in resident rooms."

Conditions of Entry into a Facility

Per CMS guidance on the *Center for Clinical Standards and Quality/Quality, Safety & Oversight Group* (dated March 13, 2020) and the DOH letter *Public Health Emergency Order to Temporarily Limit Nursing Home Visitation Due to COVID-19* (dated March 13, 2020).

Visitors must comply with the following conditions before seeing loved ones:

- All visitors must sign-in the visitors log with complete name, address and phone number
- All visitors must have their temperatures taken at the facilities entrance, and logged

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- All visitors entering a facility must thoroughly wash their hands upon entry, or use alcohol-based sanitizer containing at least 60% alcohol if soap and water is not available
- All visitors will be screened on entry to ensure that they have no fever (body temperature below 100 degrees Fahrenheit) and no sign of respiratory infection including coughing or shortness of breath
- All visitors must agree to be escorted to and from the patient's room by facility staff and must agree to not leave the patient's room unescorted
- Any other condition of entry that the facility deems necessary to protect patient health and safety
- Those who cannot meet all the conditions of entry will not be permitted.

Congregated Meals and Activities

All dining and communal activities will be suspended. However, for specific residents, not having an active or suspected case of COVID-19, that require staff supervision, facilities are able to use dining rooms for feeding assistance purposes. In these limited situations, social distancing and other infection prevention practices should be implemented.

Vendors

If available, vendors should not enter the facility through areas in which there are residents. All efforts should be made to limit unnecessary contact. Vendors who do enter the facility must comply with the conditions outlined above as it relates to deliveries and pick-ups to and from the facility. All vendors must sign the Visitors Log with name, company, and phone number.

Personal Protective Equipment (PPE)

Per CMS and CDC guidelines (dated April 2, 2020), Long-term Care Facilities should ensure all staff are using appropriate PPE when they are interacting with patients and residents. Facilities licensed by the New Mexico Department of Health shall comply with the following:

- For the duration of the state of emergency all long-term care facility personnel shall wear a facemask while they are in the facility. Homemade masks should truly be an option of last resort for Healthcare Providers (HCP). Extended use of masks to preserve supply would be recommended before cloth masks for HCP.
<https://www.cdc.gov/coronavirus/2019-ncov/hcp/ppe-strategy/face-masks.html>.
- Full PPE shall be worn per CDC guidelines for the care of any resident with known or suspected COVID-19 per CDC guidance on conservation of PPE. If proper PPE is not available, the facility should contact DOH immediately.
- If COVID-19 transmission occurs in the facility, facilities should follow their isolation and inspection control policies.
- Residents shall wear facemasks when outside of their rooms.
- When possible, all long-term care facility residents, whether they have COVID-19 symptoms or not, should wear cloth, non-medical masks to cover their noses and mouths

when staff are in their room. Residents should not use medical facemasks unless they are COVID-19-positive or assumed to be COVID-19-positive.

Admission

Per CMS and CDC guidelines (dated April 2, 2020), if a resident has a negative test for COVID-19 upon admission, facilities should make every effort to quarantine residents for the full 14 days because a negative test does not mean that they haven't been exposed and aren't incubating disease. The 14-day quarantine is to make sure they are out of their incubation period. The 14 days start from the resident's last outside exposure. If facilities need support in developing plans for admission and/or COVID-19 isolation, please reach out to Sonya Smith (contact below).

Compliance

Facilities must comply. The New Mexico Department of Health will use all necessary resources to ensure facilities are compliant with this letter. Please be aware that any person or facility who fails to comply with the Public Health Order will be subject to criminal and civil penalties under Public Health Act (NMSA Section 24-1-21) and Public Health Emergency Response Act (NMSA Section 12-10A-19), which includes being charged with a petty misdemeanor, up to six months imprisonment, and a \$5000 fine for each violation. Additionally, violations may result in loss of facility and administration licensure, and receivership of the facility.

PLEASE CONTACT SONYA SMITH AT SONYA.SMITH2@STATE.NM.US OR 505-372-8710 IF YOU HAVE ANY QUESTIONS. SONYA SMITH IS A SPECIAL PROJECTS COORDINATOR FOR THE SECRETARY OF HEALTH. SHE HAS A BS IN HEALTHCARE ADMINISTRATION, AN MHC (MASTERS IN HEALTHCARE COMPLIANCE), CHC (CERTIFIED IN HEALTHCARE COMPLIANCE). A COPY OF THE COVID-19 LONG-TERM CARE FACILITY GUIDANCE DATED APRIL 2, 2020 IS ATTACHED FOR YOUR REFERENCE.