



# Department of Health

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**DATE:** September 9, 2020  
**TO:** Adult Care Facility Operators and Administrators  
**FROM:** New York State Department of Health

## Health Advisory: Visitation in Adult Care Facilities

**Please distribute immediately to:  
Adult Care Facility Administrators**

On March 13, 2020, the Department of Health (“Department”) issued guidance to adult care facilities (ACFs) limiting visitation to medically necessary or end-of-life services. Such guidance was updated July 10, 2020. The guidance further provided that facilities where one or more residents tested positive for COVID-19 should cancel congregate meals and activities. The Department will permit the reopening of ACFs who meet specific benchmarks and develop a reopening plan via the [NY Forward Safety Plan](#).

Nothing in this directive changes the guidance previously issued relative to visitation for medically necessary or end-of life services.

ACFs may resume visitation and specified additional activities **from the date of this advisory** and under the following conditions:

1. The ACF completed the NY Forward Safety Plan, submits a copy of the completed plan to [covidadultcareinfo@health.ny.gov](mailto:covidadultcareinfo@health.ny.gov), and retains the original onsite at the facility where it is easily accessible upon request of the Department or local health department. Such plan shall include attestation of compliance with all State and federal guidelines as described in number 6 below.
2. The ACF has complied with the staff testing requirements, including furlough of staff having tested positive for COVID-19 and the facility has no staffing shortages.

All of the consenting in-house ACF residents have undergone diagnostic COVID-19 testing, and the most recently submitted daily HERDS report indicates no new confirmed staff or resident cases in the last fourteen (14) days based on the HERDS report date.

4. The ACF has undergone an Infection Control survey on or after May 1, 2020 by the Department and was found to be in substantial compliance.
5. The ACF is compliant with all reporting requirements associated with COVID-19 response, including but not limited to the daily HERDS and weekly staff testing surveys, and is compliant with all applicable guidance. Approved plans of correction have been received for all citations related to the aforementioned reporting requirements.
6. The ACF is in full compliance with all applicable State regulations, Executive Orders, and State guidance related to the COVID-19 Public Health Emergency.

7. A copy of the ACF's formal visitation plan is posted to their public website and broadcast via email or social media to provide visitors with clear guidelines for visiting, and to announce if and when visitation is paused due to an increase in the number of residents and/or staff with a confirmed positive COVID-19 diagnosis.

When an ACF meets all of the criteria above, the ACF may:

1. Only allow for visitors (including resident advocates, peer bridgers and care managers) if:
  - a. Visitor is 18 years of age or older or accompanied by an adult 18 years of age or older.
  - b. Adequate staff are present to allow for personnel to help with the transition of residents, monitoring of visitation (including adherence to social distancing requirements), and cleaning and disinfecting visitation areas after each visit.
  - c. The ACF maintains signage regarding facemask utilization and hand hygiene practices and uses applicable floor markings to cue social distancing delineations.
  - d. Visitors are screened for signs and symptoms of COVID-19 prior to resident access and are refused access if they exhibit any symptoms or do not pass the screening questions. Screening must consist of both temperature checks and asking screening questions to assess potential exposure to COVID-19 which shall include questions regarding international travel or travel to other states designated under the Commissioner's travel advisory. The facility must maintain documentation of the screening questions asked onsite and make it available upon the Department's request.
  - e. Documentation of visitor screening must be maintained onsite in an electronic format and available upon the Department's request for purposes of inspection and potential contact tracing. Documentation **must** include the following for each visitor or representative of the long-term care ombudsman program (LTCOP) to the ACF:
    - i. First and last name of the visitor;
    - ii. Physical (street) address of the visitor;
    - iii. Daytime and evening telephone number;
    - iv. Date and time of visit;
    - v. Email address if available; and
    - vi. A notation indicating the individual cleared the screening (both temperature and questions) that does not include any individual temperatures or other individual specific information.
  - f. Areas where visitors and residents meet are appropriately disinfected between visitations using an EPA-approved disinfectant.
  - g. There is adequate PPE to ensure residents wear a facemask or face covering during visitation.
  - h. Visitors maintain social distancing and wear a face covering at all times. The facility will provide a facemask if the visitor shows up lacking a face covering.
  - i. Facilities provide alcohol-based hand sanitizer to visitors and residents, and staff demonstrate appropriate use.
  - j. Facilities establish additional guidelines as needed to ensure resident and staff safety and continuity of facility operations. Such guidelines shall include provisions for limiting the number of visitors at any one time and limited visitor hours to ensure all residents may have visitation.

- k. Visitation should be limited to outdoor areas, weather permitting. Under certain limited circumstances, as determined by the facility, visitation can be inside in a well-ventilated common space with no more than 10 individuals who are appropriately socially distanced and wear a facemask or face covering while in the presence of others.
  - l. At no time shall the total number of visitors exceed 10 percent of the in-house resident census.
  - m. Currently COVID-19 positive residents, residents with COVID-19 signs or symptoms, and residents in a 14-day quarantine or observation period are not eligible for visits.
  - n. The ACF should develop a short, easy-to-read fact sheet outlining visitor expectations including appropriate hand hygiene and face covering requirements. The fact sheet must be provided upon initial screening to all visitors.
2. Allow for resumption of external renovation projects with written consent of the applicable regional office of the Department subject to receipt of a requisite Resident Safety Plan and/or licensure project via NYSECON and weekly staff testing of the contractor staff consistent with Executive Order. Those renovation projects impacting resident space are not currently permitted.

Representatives of the LTCOP are permitted as visitors in accordance with this guidance without obtaining a COVID-19 test result. However, in order for LTCOP representatives to visit an adult care facility or its residents in an instance where the adult care facility has not submitted a New York Forward Safety Plan pursuant to this guidance, the representative must obtain COVID-19 negative test in accordance with the Department's [July 3, 2020 guidance](#).

A team must be appointed by the operator which shall include, at a minimum, the administrator, case manager and quality assurance manager, to review compliance with this Health Advisory. Please note if any visitor fails to adhere to the protocol, he/she/they will be prohibited from visiting during the duration of the COVID-19 State-declared public health emergency.

Hours of visitation during this public health emergency must be clearly delineated in policy and within the visitation fact sheet. Adult care facilities with positive COVID cases of residents and/or staff are reminded that communal dining and activities remain suspended. Violations of this directive will result in the imposition of fines and additional enforcement remedies.

If the ACF fails to comply with the requirements listed in this advisory or fails to meet the benchmarks associated with maintaining limited visitation, the ACF shall immediately halt visitation and inform the appropriate regional office of the Department. In addition, the New York State Department of Health can halt visitation and at the ACF at any time due to community or facility spread of infection or based on the Department's identification of failure to comply with one or more elements of this advisory.

In summary, while these guidelines are intended to restart limited visitation, the Department reserves the right to restrict visitation at any point. Failure to follow these guidelines may result in restriction or revocation of visitation and additional remedies as applicable.

Information for healthcare providers on topics related to COVID-19 is readily available on the Department of Health public website at <https://coronavirus.health.ny.gov/information-healthcare-providers>.

Thank you for your ongoing support and cooperation in responding to COVID-19 concerns.

Questions may be routed to [covidadultcareinfo@health.ny.gov](mailto:covidadultcareinfo@health.ny.gov).