

COVID-19 Emergency Orders and Waivers for Comprehensive Care Facilities from ISDH

Date Issued / Effective Through	Emergency Order or Waiver	Summary	Link
Date Issued: 3/20/2020 Effective Through: 9/16/2020	<u>Waiver</u> on Tuberculosis (TB) Screenings for Staff (410 IAC 16.2-3.1-14(t)(1))	Comprehensive care facilities (CCFs) are not required to screen employees for TB within one (1) month prior to employment but must instead do so within ninety (90) days of their employment. Subsequent annual screenings are still required.	The entirety of the Waiver can be found here .
Date Issued: 3/20/2020 Effective Through: 9/16/2020	<u>Waiver</u> on Resident X-Rays (410 IAC 16.2-3.1-18(c))	CCFs are not required to obtain a diagnostic chest X-ray for residents within six (6) months prior to admission.	The entirety of the Waiver can be found here .
Date Issued: 3/20/2020 Effective Through: 9/16/2020	<u>Waiver</u> on Tuberculin Skin Tests for Residents (410 IAC 16.2-3.1-18(e))	CCFs are not required to complete a tuberculin skin test for residents within three (3) months prior to admission but must instead do so within ninety (90) days of a resident's admission.	The entirety of the Waiver can be found here .
Date Issued: 3/21/2020 Effective Through: 9/17/2020	<u>Waiver</u> on Living Arrangement Requirements (410 IAC 16.2-3.1-10)	CCFs are not required to adhere to the living arrangement requirements contained in 410 IAC 16.2-3.1-10 (i.e., a resident has the right to share a room with his or her spouse) in order to facilitate necessary resident moves on a rapid basis.	The entirety of the Waiver can be found here .
Date Issued: 3/21/2020 Effective Through: 9/17/2020	<u>Waiver</u> on Transfer and Discharge Rights (410 IAC 16.2-3.1-12(a)(7))	CCFs are not required to provide notice of transfer or discharge at least thirty (30) days prior; CCFs must instead provide notice of transfer or discharge as soon as practicable.	The entirety of the Waiver can be found here .
Date Issued: 3/21/2020 Effective Through: 9/17/2020	<u>Waiver</u> on CNA Employment (410 IAC 16.2-3.1-14(b))	CCFs may employ certified nurse aides (CNAs) prior to completion of training and testing for up to eight (8) months (Current regulation only allows employment for up to four (4) months).	The entirety of the Waiver can be found here .
Date Issued: 3/21/2020 Effective Through: 9/17/2020	<u>Waiver</u> on CNA Training (410 IAC 16.2-3.1-14(c)(1))	Each CCF's CNA training program shall include thirty (30) hours of classroom instruction within two hundred forty (240) days of employment (Current regulation requires thirty (30) hours of classroom instruction within one hundred twenty (120) days of employment).	The entirety of the Waiver can be found here .

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<p>Date Issued: 3/21/2020 Effective Through: 9/17/2020</p>	<p><u>Waiver</u> on Physician Visit Schedules (410 IAC 16.2-3.1-22(d))</p>	<p>The requirement that a physician visit a CCF resident at least once every thirty (30) days for the first ninety (90) days after admission, and at least every sixty (60) days thereafter, is waived to facilitate telemedicine and other means of physician contact and oversight.</p>	<p>The entirety of the Waiver can be found here.</p>
<p>Date Issued: 3/21/2020 Effective Through: 9/17/2020</p>	<p><u>Waiver</u> on Activities Programming (410 IAC 16.2-3.1-33(b)(1-7) and (9))</p>	<p>CCFs are not required to plan the following: 1) Group social activities; 2) Indoor and outdoor activities; 3) Activities away from the facility; 4) Spiritual programs and attendance at houses of worship; 5) Opportunities for resident involvement in the planning and implementation of the activities program; 6) Creative activities such as arts and crafts; 7) Exercise activities; and 8) Promotion of facility/community interaction. CCFs are still required to plan one (1) to one (1) attention.</p>	<p>The entirety of the Waiver can be found here.</p>
<p>Date Issued: 3/21/2020 Effective Through: 9/17/2020</p>	<p><u>Waiver</u> on Dining Assistant Requirements (410 IAC 16.2-3.1-53)</p>	<p>CCFs may permit an individual to perform dining assistant functions if the facility documents that the individual has completed certain training as outlined in the Waiver, although such individuals may not provide dining assistance to residents with known choking or swallowing difficulties or administer tube / IV feedings.</p>	<p>The entirety of the Waiver and training requirements can be found here.</p>
<p>Date Issued: 3/21/2020 Effective Through: 9/17/2020</p>	<p><u>Emergency Order</u> on Temporary Personal Care Attendants (PCAs)</p>	<p>CCFs may train and subsequently utilize temporary PCAs to perform resident care procedures that do not require the skill or training required of a CNA, if the PCA is eighteen (18) years of age, completes the required eight (8) hour training, and satisfies the requirements for “other unlicensed employees” as set forth in IC 16-28-13.</p> <p>Please see the Amended Emergency Orders below.</p>	<p>The entirety of the Emergency Order and training requirements can be found here. Following any PCA training, the spreadsheet linked here should be completed and submitted to aides@isdh.in.gov.</p>
<p>Date Issued: 3/23/2020 Effective Through: 9/19/2020</p>	<p><u>Waiver</u> on Employee Physical Examinations (410 IAC 16.2-3.1-14(t))</p>	<p>CCFs are not required to obtain a physical examination of each employee one (1) month prior to employment.</p>	<p>The entirety of the Waiver can be found here.</p>

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<p>Date Issued: 3/26/2020 Effective Through: 9/22/2020</p>	<p><u>Emergency Order</u> on the Provision of Services in Alternative Settings</p>	<p>Any CCF that has:</p> <ul style="list-style-type: none"> (1) declared a COVID-19 facility emergency (there does not need to be a known COVID-19 case to do so); and (2) notified ISDH of the declaration may: <ul style="list-style-type: none"> (a) render care and services to a resident in any resident bed or room within the CCF, without regard to whether the bed or room is certified or otherwise approved for a particular category of residents or reimbursement (i.e., Medicaid); and/or (b) render care and services to a resident relocated to unlicensed space within the CCF, or to a different unlicensed facility, provided that the relocating CCF immediately gives notice to ISDH, provides full details of the relocation, continues meeting all of the resident's care and safety needs, and notifies ISDH when the resident returns to the CCF. 	<p>The entirety of the Emergency Order can be found here.</p>
<p>Date Issued: 3/26/2020 Effective Through: 9/22/2020</p>	<p><u>Waiver</u> on Structural and/or Bed Changes (410 IAC 16.2- 3.1-2(d) and (e))</p>	<p>Any CCF that has:</p> <ul style="list-style-type: none"> (1) declared a COVID-19 facility emergency (there does not need to be a known COVID-19 case to do so); and (2) notified ISDH of the declaration may: <ul style="list-style-type: none"> (a) remodel or make other structural changes if the CCF notifies ISDH of the change within three (3) days, provides ISDH with drawings and supporting narrative to show and describe what changes have been or will be made, and requests temporary approval from ISDH; and/or (b) relocate, convert, and reclassify beds and renumber rooms if the CCF notifies ISDH of the change within three (3) days, provides ISDH with drawings and supporting narrative to show and describe what changes have 	<p>The entirety of the Waiver can be found here.</p> <p>Please note, the Waiver also details the steps that need to be taken following the public health emergency if these changes are going to be rolled-back or made permanent.</p>

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		been or will be made, and requests temporary approval from ISDH.	
Date Issued: 3/26/2020 Effective Through: 9/22/2020	<u>Waiver</u> on Access and Visitation Rights (410 IAC 16.2-3.1-8)	CCFs are not required to adhere to access and visitation rights outlined in 410 IAC 16.2-3.1-8, including providing reasonable visiting hours at least nine (9) hours a day, in order to comply with CMS and ISDH guidance to restrict visitors.	The entirety of the Waiver can be found here .
Date Issued: 4/2/2020 (Originally Issued: 3/21/2020) Effective Through: 9/17/2020	<u>Amended Emergency Order</u> on PCAs	CCFs may train and subsequently utilize temporary PCAs to perform resident care procedures that do not require the skill or training required of a CNA if the PCA is at least sixteen (16) years of age or older (an Emergency Order from March 21 st only permitted PCAs eighteen (18) years of age or older). All PCAs must still complete the required eight (8) hour training and satisfy the requirements for “other unlicensed employees” as set forth in IC 16-28-13.	The entirety of the Amended Emergency Order can be found here . Following any PCA training, the spreadsheet linked here should be completed and submitted to aides@isdh.in.gov .
Date Issued: 4/2/2020 Effective Through: 9/29/2020	<u>Waiver</u> on Resident Transfers and Discharges (Various Subdivisions of 410 IAC 16.2-3.1-12(a))	The Waiver amends the transfer and discharge process as it relates to the required appeals notice and timing of a requested appeals hearing, including modifying the twenty-three (23) day timeframe to “as soon as the ISDH deems practical after expiration or withdrawal of the Governor’s declaration of the public health emergency.”	The entirety of the Waiver can be found here .
Date Issued: 4/8/2020 This Emergency Order is still in effect. The date on which it expires is not known at this time.	<u>Emergency Order</u> on Reporting COVID-19 Information	Effective April 10, 2020, all long-term care facilities are required to report the following within twenty-four (24) hours: <ol style="list-style-type: none"> 1) Any resident who tests positive for COVID-19; 2) Any employee who tests positive for COVID-19; 3) Any confirmed positive COVID-19 related death OR suspected COVID-19 related death of a resident; and 4) Any confirmed positive COVID-19 related death OR suspected COVID-19 related death of an employee. <p>Confirmed or suspected deaths should be reported regardless of where the death</p>	The entirety of the Emergency Order can be found here , and the online survey tool to report the required information can be found here . Questions regarding the survey tool should be directed to: PROVIDERS@isdh.in.gov . However, this email address should not be used to make a report in place of the online survey tool.

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		occurred and within twenty-four (24) hours of a facility's knowledge of the death.	
Date Issued: 4/8/2020 (Originally Issued: 3/21/2020) Effective Through: 9/17/2020	<u>Amended Emergency Order</u> on PCAs	CCFs may train and subsequently utilize PCAs to perform resident care procedures that do not require the skill or training required of a CNA if the PCA is sixteen (16) or seventeen (17) years of age <u>continuing indefinitely</u> . All PCAs must complete the required eight (8) hour training and satisfy the requirements for "other unlicensed employees" as set forth in IC 16-28-13.	The entirety of the Amended Emergency Order can be found here . Following any PCA training, the spreadsheet linked here should be completed and submitted to aides@isdh.in.gov .
Date Issued: 4/8/2020 This Emergency Order is still in effect. The date on which it expires is not known at this time.	<u>ISDH Commissioner Order on the Relocation of LTC Facility Residents</u>	LTC facilities are authorized to transfer, discharge, transport, or otherwise relocate residents in accordance with the plans and guidance of ISDH, including transfers within a facility, transfers between facilities (including to and from hospitals), and transfers across city or county boundaries. Any local health officer order or local health department order concerning the transfer, discharge, transport, or other relocation of LTC facility residents that are contrary or inconsistent are void.	The entirety of the ISDH Commissioner Order can be found here .
Date Issued: 4/18/2020 Effective Through: 10/15/2020	<u>Emergency Order</u> on Temporary CNAs (410 IAC 16.2-3.1-14(c))	CCFs may utilize the AHCA Temporary Nurse Aide Program to train temporary CNAs to assist with patient care. All temporary CNAs must complete the eight (8) hour online training through AHCA and complete the competency checklist . CCFs must maintain documentation showing the temporary CNA completed the AHCA Program, including passing the final assessment and competency checklist.	The entirety of the Emergency Order can be found here . Following any temporary CNA training, the Temporary Nurse Aide – Registry Spreadsheet should be completed and submitted to aides@isdh.in.gov .
Date Issued: 4/18/2020 Effective Through: 10/15/2020	<u>Emergency Order</u> on Former CNAs	CCFs may temporarily employ former CNAs whose certifications have expired or otherwise lapsed if the expiration or lapse occurred while the CNA was in good standing; the expiration or lapse occurred on or after January 1, 2019; the CNA worked at least forty (40) hours as a CNA during the one (1) year period immediately preceding the expiration or lapse; and the CCF ensures the former	The entirety of the Emergency Order can be found here . If a former CNA does not precisely meet these requirements, a CCF may request approval on a case-by-case basis from Jan Kulik at jkulik@isdh.IN.gov .

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		CNA provides competent CNA and other relevant nursing-related service.	
<p>Date Issued: 5/3/2020</p> <p>This Guidance is still in effect. The date on which it expires is not known at this time.</p>	<p><u>Guidance on Communication with Residents and Designated Representatives on COVID-19 Status</u></p> <p>**Please note, although these are termed guidelines, ISDH expects all LTC facilities to follow the requirements outlined.</p>	<p>Effective May 4, 2020, all LTC facilities should send daily (at a minimum, Monday through Friday) group emails, automated voicemails, or other automated electronic communications to residents and their designated representatives informing them of the total number of COVID-19 positive cases in the facility, including those that occurred in the past 14 days; new positive cases in the last 24 hours; and if there are three (3) or more new cases of respiratory illness that have occurred in the last 72 hours in residents and/or staff. Additionally, facilities should let residents and their designated representatives know what actions are being taken to prevent further spread of COVID-19 and how to reach a staff person if they have questions.</p> <p>Facilities should also complete the Facility Emergency Transfer Form weekly detailing any transfers to other LTC facilities and email it to the local ombudsman every Friday.</p>	<p>The entirety of the Guidance can be found here.</p> <p>The Guidance also details pathways should residents and/or their designated representatives wish to opt out of daily communications.</p>