

COVID-19 Waivers, Guidance, and Emergency Orders for Residential Care Facilities from ISDH

Date Issued / Effective Through	Waiver, Guidance, or Emergency Order	Summary	Link
Date Issued: 3/20/2020	<u>Waiver</u> on TB Screenings for Staff (410 IAC 16.2-5-1.4(f)(1))	Residential care facilities (RCFs) are no longer required to screen employees for TB within one (1) month prior to employment but must 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	<u>Waiver</u> on Resident X-Rays (410 IAC 16.2-5-12(c))	RCFs are no longer required to obtain a diagnostic chest X-ray for residents six (6) months prior to admission.	The entirety of the Waiver can be found here .
Date Issued: 3/20/2020	<u>Waiver</u> on Tuberculin Skin Tests for Residents (410 IAC 16.2-5-12(e))	RCFs are no longer required to complete a tuberculin skin test for residents within three (3) months prior to admission but must do so within ninety (90) days of admission.	The entirety of the Waiver can be found here .
Date Issued: 3/20/2020	<u>Guidance</u> on Mask Use	ISDH requested that all LTC facilities have all health care workers wear a face mask during their shift. Please note, while clarifying guidance issued by ISDH on March 23 rd stated that only direct care providers in skilled nursing homes should wear masks, updated guidance on March 24 th (as outlined below) once again states that all LTC facilities should require those involved in direct patient care to wear a mask during their entire shift.	The entirety of the Guidance can be found here .
Date Issued: 3/21/2020	<u>Waiver</u> on Notice of Transfer or Discharge (410 IAC 16.2-5-1.2(r)(7))	RCFs are no longer required to provide notice of transfer or discharge to residents at least thirty (30) days prior; however, RCFs must provide notice of transfer or discharge to residents as soon as practicable.	The entirety of the Waiver can be found here .
Date Issued: 3/21/2020	<u>Waiver</u> on Use of Pill Planners (410 IAC 16.2-5-4(e))	RCFs may now prepare medication doses for residents on a weekly basis using a pill planner or similar device.	The entirety of the Waiver can be found here .
Date Issued: 3/22/2020	<u>Guidance</u> on Preparedness Checklist	ISDH encourages all LTC facilities to assess and improve their preparedness for responding to COVID-19 by utilizing the CDC's checklist, although LTC facilities may need to adapt the checklist to meet their own needs and circumstances.	The entirety of the Guidance can be found here , and the CDC checklist can be found here .
Date Issued: 3/23/2020	<u>Emergency Order</u> on Use of Personal Care Attendants (PCAs)	RCFs may train and utilize temporary PCAs to perform resident care procedures that do not require the skill or training required for a CNA, if the PCA	The entirety of the Emergency Order and training requirements can

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		<p>is eighteen (18) years of age, completes an eight (8) hour training, and satisfies the requirements for “other unlicensed employees” set forth in IC 16-28-13.</p> <p>Please see the Amended Emergency Orders issued on PCAs below.</p>	<p>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</p>	<p><u>Waiver</u> on Dining Assistant Requirements (410 IAC 16.2-5-13))</p>	<p>RCFs may permit an individual who is not otherwise permitted to perform dining assistant functions if the RCF documents that the individual has received certain training as outlined in the Waiver. Such individuals may not provide dining assistance to residents with known choking or swallowing difficulties and may not administer tube or IV feedings.</p>	<p>The entirety of the Waiver and training requirements can be found here.</p>
<p>Date Issued: 3/23/2020</p>	<p><u>Waiver</u> on Transportation to Community-Based Activities (410 IAC 16.2-5-7.1(b))</p>	<p>RCFs are no longer required to provide and/or coordinate scheduled transportation to community-based activities for residents.</p>	<p>The entirety of the Waiver can be found here.</p>
<p>Date Issued: 3/24/2020</p>	<p><u>Guidance</u> on Responding to COVID-19</p>	<p>ISDH underscored the need for all LTC facilities to utilize the CDC checklist, which can be found once again here. ISDH also recommends that all LTC facilities use this sheet to track their infection control activities, as well as their residents and staff with respiratory illness. All LTC facilities should have a plan to implement how they will cohort confirmed or presumed COVID-19 residents. All LTC facilities should limit resident contact to essential direct care providers, and those direct care providers should wear a mask their entire shift. LTC facilities should update their status of Personal Protective Equipment via EMResources daily. Finally, all LTC facilities should have updated lists of all residents’ code status.</p>	<p>The entirety of the Guidance can be found here.</p>
<p>Date Issued: 3/28/2020</p>	<p><u>Guidance</u> on Limited Criminal History Checks</p>	<p>ISDH noted that due to limitations on fingerprinting for background checks, which are required when a limited criminal history check first returns as inconclusive, it is clarifying that IC 16-28-13-4(a) only requires the health care facility to “apply” for the limited criminal history check, but that the report does not actually have to be obtained. ISDH</p>	<p>The entirety of the Guidance can be found here.</p>

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		requires proof of documentation of the application. This guidance does not relax the requirement that a health facility cannot employ a person with a disqualifying crime under IC 16-28-13-3. The term health facility includes RCFs.	
Date Issued: 4/1/2020	<u>Guidance</u> on Hospital Discharges	ISDH provided COVID-related guidance for hospital discharges to LTC facilities, and conversely, for LTC facilities sending of residents to the emergency department. However, this guidance is directed at nursing facilities.	The entirety of the Guidance can be found here .
Date Issued: 3/23/2020	<u>Amended Emergency Order</u> on PCAs	RCFs 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 23 rd 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	<u>Waiver</u> on Resident Rights (410 IAC 16.2-5-1.2(o) and (bb-ff))	RCFs are no longer required to adhere to the following resident rights: 1) The right to form a resident or family council; 2) to have immediate access to certain individuals (i.e., individuals representing state agencies, the resident’s physician, relatives, the LTC ombudsman, etc.); 3) to choose with whom they associate and have at least twelve (12) visiting hours a day; 4) to have access to an entity or individual that provides health, social, legal, and/or other services; 5) to have the state ombudsman examine the resident’s clinical records; and 6) to participate in social, religious, and community activities.	The entirety of the Waiver can be found here .
Date Issued: 4/2/2020	<u>Waiver</u> on Employee Health Screens (410 IAC 16.2-5-1.4(f))	RCFs are no longer required to conduct a health screen for each employee prior to resident contact; RCFs are instead required to conduct a health screen for employees within ninety (90) days after the start their employment.	The entirety of the Waiver can be found here .
Date Issued: 4/2/2020	<u>Waiver</u> on Licenses for Structural and/or Bed Changes (410 IAC 16.2-5-1.1(d-e))	RCFs that have: (1) declared a COVID-19 facility emergency (there does not need to be a known COVID-19 case to do so); and	The entirety of the Waiver can be found here .

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		<p>(2) notified ISDH of the declaration may:</p> <ul style="list-style-type: none"> (a) remodel or make other structural changes if the RCF 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 RCF 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. 	<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>
<p>Date Issued: 4/2/2020</p>	<p><u>Waiver on Resident Transfers and Discharges (Various Subdivisions of 410 IAC 16.2-5-1.2(r))</u></p>	<p>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.”</p>	<p>The entirety of the Waiver can be found here.</p>
<p>Date Issued: 4/8/2020</p>	<p><u>Emergency Order on Reporting COVID-19 Information</u></p>	<p>Effective April 10, 2020, all LTC facilities, including RCFs, are required to report the following within twenty-four (24) hours:</p> <ul 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 occurred and within twenty-four (24)</p>	<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.</p> <p>Questions regarding the survey tool should be directed to: PROVIDERS@isdh.in.gov. However, this email address should not be used to make a</p>

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		hours of a facility’s knowledge of the death.	report in place of the online survey tool.
Date Issued: 3/23/2020	<u>Amended Emergency Order on PCAs</u>	RCFs 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: 4/10/2020	<u>Guidance on Requesting Health Care Personnel</u>	RCFs may request immediate health care workforce needs in response to COVID-19 through ISDH. Information about employment opportunities within a RCF will then be distributed to individuals who indicated willingness to serve and meet the specified criteria/need.	The Indiana Health Care Workforce Needs Request Form can be found here .
Date Issued: 4/10/2020	<u>Guidance on Weather Watches and Warning</u>	RCFs are encouraged to utilize the ISDH’s newly issued guidance regarding weather watches and warnings during the COVID-19 outbreak. RCFs should instruct residents to put on facemasks and place a clean sheet/blanket around the residents and their wheelchairs before bringing them into the hallway away from windows.	The entirety of the Guidance can be found here .
Date Issued: 4/14/2020	<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 LHD 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: 4/17/2020	<u>Guidance on PPE Requests</u>	RCFs in need of PPE should first contact their local health department (LHD) for any available resources. If the LHD does not have PPE or is otherwise unreachable, the RCF should complete an ICS 213 RR form and email the form to isdhdeplistics@isdh.in.gov . ISDH can	The entirety of the Guidance can be found here .

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		only fill a request once a RCF's current stock reaches seventy-two (72) hours or fewer.	
Date Issued: 4/17/2020	<u>Guidance on Family Visitation for End-of-Life Care</u>	ISDH issued further guidance regarding family visitation for end-of-life care. Family visitation for end-of-life care should be made on a case-by-case basis and should weigh the risk of viral transmission with the need for compassionate end-of-life care.	The entirety of the Guidance can be found here .
Date Issued: 4/20/2020	<u>Emergency Order on Temporary CNAs</u>	RCFs 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 . RCFs 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: 4/20/2020	<u>Emergency Order on Former CNAs</u>	RCFs 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 RCF ensures the former CNA provides competent CNA service.	The entirety of the Emergency Order can be found here . If a former CNA does not precisely meet these requirements, a RCF may request approval on a case-by-case basis from Jan Kulik at jkulik@isdh.IN.gov .
Date Issued: 4/20/2020	<u>Guidance on Infection Control</u>	LTC facilities are encouraged to cohort residents into three (3) categories—Red, Yellow, and Green—based on known COVID-positive residents, presumed COVID-positive residents, and COVID-negative residents.	The entirety of the Guidance can be found here .

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<p>Date Issued: 4/27/2020</p>	<p><u>Guidance on Memory Care Unit Strategies</u></p>	<p>ISDH issued memory care unit strategies, which include cohorting residents into three (3) categories based on their test results—Red, Yellow, and Green. Those LTC facilities that cannot create separate memory care units for cohorting should move the COVID-19 negative residents or the COVID-19 positive residents out of the memory care unit, whichever is least disruptive to the least number of residents.</p>	<p>The entirety of the Guidance can be found here.</p>
<p>Date Issued: 5/3/2020</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, including RCFs, 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 these daily communications.</p>
<p>Date Issued: 6/3/2020</p>	<p><u>Guidance on Outdoor Visitation</u></p>	<p>All LTC facilities, including RCFs, may allow outdoor visitation if the county in which the facility is located has entered Stage 2 of Indiana’s Back on Track Plan, and the facility has had no new facility-onset COVID-19 cases in the past fourteen (14) days among residents or staff. Whether or not to offer outdoor visitation is in the sole discretion of the LTC facility.</p>	<p>The entirety of the Guidance can be found here.</p>

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<p>Date Issued: 6/5/2020</p>	<p><u>Guidance on Essential Family Caregivers</u></p>	<p>Effective June 12, 2020, all LTC facilities, including RCFs, may permit family members or other outside caregivers (together called Essential Family Caregivers, or EFCs) the ability to provide care to residents. EFCs must have been regularly engaged with the resident at least two (2) or more times per week before the pandemic. Whether or not to allow EFCs is in the sole discretion of the LTC facility.</p>	<p>The entirety of the Guidance can be found here.</p>
<p>Date Issued: 6/29/2020</p>	<p><u>Guidance on Indoor Visitation</u></p>	<p>Effective July 4, 2020, all LTC facilities, include RCFs, may permit indoor visitation in accordance with ISDH Visitation Guidelines, as long as the facility has had no new facility-onset COVID-19 cases in the past fourteen (14) days among residents or staff.</p>	<p>The entirety of the Guidance can be found here.</p>
<p>Date Issued: 9/16/2020</p>	<p><u>Reissuance of All Emergency Orders</u></p>	<p>On September 16, 2020, ISDH renewed all Emergency Orders issued for RCFs, which shall expire no earlier than the public health emergency.</p>	