

# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH

Deidre S. Gifford, MD, MPH  
Acting Commissioner




Ned Lamont  
Governor  
Susan Bysiewicz  
Lt. Governor

### HEALTHCARE QUALITY AND SAFETY BRANCH

## BLAST FAX 2020-92

TO: Nursing Homes

FROM: Acting Commissioner Deidre S. Gifford, MD, MPH 

CC: Deputy Commissioner Heather Aaron, MPH, LNHA  
Adelita Orefice, MPM, JD, CHC, Senior Advisor to the Commissioner  
Barbara Cass, RN., Branch Chief, Healthcare Quality and Safety Branch  
Donna Ortelle, Section Chief, Facility Licensing and Investigations Section

DATE: September 25, 2020

SUBJECT: CMS Nursing Home Visitation – COVID-19

On September 17, 2020, the Centers for Medicare & Medicaid Services (“CMS”) issued a memorandum to all State Survey Agency Directors setting forth new requirements regarding nursing home visitation and COVID-19 (“CMS Visitation Memorandum”). The memorandum is attached and is available at <https://www.cms.gov/files/document/qso-20-39-nh.pdf>

The CMS Visitation Memorandum expands visitation beyond the parameters set forth in the Commissioner’s Order dated August 27, 2020. Therefore, the Department of Public Health (DPH) will be rescinding the August 27<sup>th</sup> Order. This is a directive from CMS therefore nursing homes should review carefully the CMS Visitation Memorandum with special attention to the “Core Principles of COVID-19 Infection Prevention” which are based on guidance developed by the Centers for Disease Control and Prevention (“CDC”). The requirements set forth in the CMS Visitation Memorandum are effective immediately, and DPH will be incorporating these requirements in upcoming surveys.



Phone: (860) 509-7400 • Fax: (860) 509-7543  
Telecommunications Relay Service 7-1-1  
410 Capitol Avenue, P.O. Box 340308  
Hartford, Connecticut 06134-0308  
[www.ct.gov/dph](http://www.ct.gov/dph)

*Affirmative Action/Equal Opportunity Employer*



## **Selected Highlights**

**Required Visitation.** The CMS Visitation Memorandum expands nursing home visitation in several ways, most notably by prohibiting nursing homes from restricting visitation without a reasonable clinical or safety cause. Under the requirements set forth in the CMS Visitation Memorandum, nursing homes must facilitate in-person visitation consistent with §483.10(f)(4)(v) when “a facility has had no COVID-19 cases in the last 14 days and its county positivity rate is low or medium” provided that such visitation is consistent with the guidance set forth in the CMS Visitation Memorandum.

**Indoor Visitation.** The CMS Visitation Memorandum indicates that facilities should “accommodate and support indoor visitation, including visits for reasons beyond compassionate care situations” based on several guidelines, including that:

- There has been no new onset of COVID-19 cases in the last 14 days and that the facility is not currently conducting outbreak testing;
- Visitors should be able to adhere to the core principles set forth in the CMS Visitation Memorandum and staff should help to monitor visitors, such as children, who may have difficulty following the core principles.;
- Facilities should limit the number of visitors per resident at one time as well as the total number of visitors in the facility at one time, based on the size of the facility and the physical space;
- Facilities should consider scheduling visits for specific lengths of time to ensure that all residents are able to receive visitors; and
- Facilities should limit the movement of visitors inside the facility.

Weekly staff testing conducted pursuant to Executive Order 7AAA is not considered “outbreak testing” for purposes of complying with the indoor visitation requirements set forth in the CMS Visitation Memorandum.

**Entry of Health Care Workers and Other Providers of Services.** The CMS Visitation Memorandum sets forth guidance for the entry of health care workers and other service providers who are not employees of the facility. DPH interprets the CMS Visitation Memorandum to allow entry of volunteers and non-essential service providers such as dental hygienists and hairdressers.

**Funds to Aid in Visitation.** CMS will be allowing the use of Civil Monetary Penalty (“CMP”) funds to help facilitate in-person visits. Facilities may apply for these funds for various activities and up to the limits summarized in the CMS Visitation Memorandum. CMS will be issuing instructions to apply for these funds.

ATTACHMENT: CMS Visitation Memorandum, September 17, 2020