



*Keeping You Connected...Expanding Your Potential...
In Senior Care and Services*

TO: The Honorable Delores G. Kelley, Chair
Members, Senate Finance Committee
The Honorable Mary Lehman

FROM: Danna L. Kauffman
Pamela Metz Kasemeyer

DATE: March 23, 2021

RE: **SUPPORT** – House Bill 983 – *Nursing Homes - COVID-19 - Visitation*

On behalf of the LifeSpan Network, the largest and most diverse senior care provider association in Maryland representing the continuum of senior care, including nursing facilities, assisted living providers, continuing care retirement communities, medical adult day care centers, senior housing communities and other home and community-based services, we **support** House Bill 983. House Bill 983 establishes a process for allowing visitation in nursing homes during the COVID-19 pandemic. The bill requires the Maryland Department of Health to issue guidance for compassionate care visitors and personal care visitors.

Nursing homes are regulated under both federal and State law. At the onset of the COVID-19 pandemic, the federal Centers for Medicare and Medicaid Services began issuing guidance to states restricting visitation, which was incorporated in directives issued by the Maryland Department of Health.

- March 13th: Restricted ALL visitors, except for compassionate care visitors (i.e., end of life).¹
- June 18th: Lifted restrictions for indoor visitation if the facility had no new onset of a single case for at least 42 days.²
- October 1st: Lessened the restrictions on indoor visitation based on a set of new metrics – no onset of a single case for 14 days and indoor visitation allowed when the county’s positivity rate was lower than 10% (over 10% - only compassionate care visits permitted).³
- December 8th: Restricted visitation to account for the surge in cases. Required all visitors to have a negative COVID-19 test; no onset of a single case for 14 days; if county positivity rates were below 5% – indoor visitation permitted; positivity rate between 5%-10% - indoor visitation restricted to 5% of the total residents at the facility at any given time; greater than 10% - restricted only to compassionate care.

¹ March 13, 2020. <https://www.cms.gov/files/document/3-13-2020-nursing-home-guidance-covid-19.pdf>

² https://phpa.health.maryland.gov/Documents/NH%20Relaxation%20of%20Restrictions_6.18.2020_FINAL.pdf

³ September 17, 2020. <https://www.cms.gov/files/document/qso-20-39-nh.pdf>

- Beginning March 1st: Visitation will return to the rules issued October 1st.⁴

LifeSpan understands and shares the frustration of our residents and families during this unprecedented time. Our members have seen first-hand the decline in resident's mental and physical health due to isolation and separation as our members have navigated frequently changing guidance, often subject to interpretation by local health departments and others. For these reasons, we support House Bill 983.

For more information call:

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⁴ February 11, 2021. [https://phpa.health.maryland.gov/Documents/2021.02.11.02%20-%20MDH%20Order%20-%20Amended%20Nursing%20Homes%20Matter%20Order%20\(Feb%202021%20Updates%20to%20Visitation%20Testing%20Other\).pdf](https://phpa.health.maryland.gov/Documents/2021.02.11.02%20-%20MDH%20Order%20-%20Amended%20Nursing%20Homes%20Matter%20Order%20(Feb%202021%20Updates%20to%20Visitation%20Testing%20Other).pdf)