



Memo

To: All Certified LTC Ombuds

Cc: Host Entities
Amy Freeman, Attorney for LTC Ombuds and Vicki Elting, Assistant State LTC Ombuds

From: Patricia Hunter, State LTC Ombuds
Washington State Long-Term Care Ombudsman Program

Date: Monday, August 3, 2020

Re: Re-establishing visitations to facilities,
The Governor's Safe Start Plan for LTC Facilities

On March 11, 2020, I enacted a virtual visitation policy for all LTC ombuds and directed ombuds to refrain from entering LTC facilities unless specific authorization was obtained from State LTCOP for exceptions.

Beginning August 3, and subject to certain conditions, all ombuds are allowed but not required to visit LTC facilities in order to conduct in-person visits and perform other duties. Local LTC Ombudsman Programs have until September 1, 2020 to complete their training and preparation for re-entry.

Ombuds must follow all State LTCOP policies and procedures for visitations during COVID-19. Policies and procedures include guidelines and training from the Washington State Department of Health (DOH), Department of Social and Health Services (DSHS), the Centers for Medicaid and Medicare Services (CMS), and the Centers for Disease Prevention and Control (CDC).

The guidelines, policies and procedures address:

1. The Governor's Safe Start Plan for Long-term Care
2. COVID-19 Symptoms, Precautions, and Screening
3. The use of Personal Protective Equipment (PPE) and required supplies
4. Infection control management in LTC facilities
5. Testing, Contact tracing, Quarantine and Cohorting in long-term care facilities
6. State agency and Local Health Jurisdictions (LHJ) monitoring and reporting of COVID-19 activity within a facility and county
7. Communication with LTC providers, understanding their infection control policies and coordination with initial visits

The State LTC Ombuds has weighed the following considerations in the decision to resume visitations:

1. **The Governor's reopening plans for LTC facilities.** The Governor's Office informed State LTCOP that he will likely announce a plan this week for reopening LTC facilities. As we understand, the Governor's plan, "Safe Start for Long-Term Care," will reinstate, or partially reinstate, residents' rights that have been waived due

to COVID. Visitation and community access, with some limitations, should begin to resume. You will receive information in greater detail once we have received and reviewed the governor's plan.

2. **Rising Number of Complaints.** The program is receiving an increasing number of complaints about resident care, quality of life, and access to needed medical services. All certified LTC Ombuds have duties under federal and state law to resolve complaints, monitor care and provide advocacy on behalf of residents.
3. **Increased Availability of PPE.** At the onset of the COVID outbreak, the availability of PPE was very poor. Conserving valuable PPE and supplies for frontline health workers during the initial months of the outbreak was priority. Now, Ombuds have PPE suitable for their role, which is very different from frontline health workers because Ombuds can interact with residents from 6 feet away (social distancing), whereas healthcare workers must be much closer. Universal masking is now required. Cloth masks were not available at the beginning of the outbreak. Cloth masks are an acceptable alternative to medical masks in some situations and support the policy of conserving N95 masks and other PPE for front-line health care workers.
4. **Inspections Completed.** All LTC facilities have now been inspected at least once by the State licensing entity, Residential Care Services, for infection control issues.
5. **Testing of Residents and Staff.** Testing of all residents and staff in nursing homes and assisted living facilities with memory care units are completed or near completed. The Department of Health has shared preliminary findings and report a low incidence rate of COVID-19 in Washington's LTC facilities.
6. **Preventing Spread.** We are much more knowledgeable about the transmission of COVID than three months ago. The risk of transmission can be substantially lowered through the use of appropriate PPE, proper infection control practices, social distancing, and frequent hand hygiene. With practice, we will be able to easily incorporate these measures into daily Ombuds activities.

For these reasons and more, State LTCOP has decided to re-establish in-person visitation, the hallmark of Ombuds advocacy and an important tool in fulfilling our mandates.

However, until there is a cure or viable treatment, or the COVID public threat has ended, there remains a risk of COVID-19 transmission for ombuds and for LTC residents and staff. Each ombuds must decide whether to conduct in-person visits or not, taking into consideration their personal health. Ombuds who decide not to conduct in-person visits at this time will not face retaliation. Alternative work assignments are available.

Ombuds who are displaying symptoms of COVID-19, suspected to have COVID-19 or who have tested positive for COVID-19 are prohibited from visiting facilities or meeting with residents until their symptoms have resolved (beyond temporarily relief of symptoms through the use of medication) and have tested negative for COVID-19. Ombuds are required to perform a self-assessment and affirmation screening on the day they plan to visit a home. Their supervisor must review the ombuds self-assessment and affirmation form, and make a determination to approve or not approve the visit. (Approval from the State LTC Ombuds is no longer required unless visiting is required outside of normal business hours, in which case advance permission from the State LTC Ombuds is required.) The self-assessment must happen on the day of the visit.

You will be provided a one-page memo that lists all the laws authorizing LTC Ombuds to access facilities, residents, and records.