

## NYSHFA | NYSCAL COVID-19 Issue Update

*NYSHFA | NYSCAL is continuing to have active discussions at the highest levels with the Governor's office and the Department of Health ("DOH") regarding numerous issues associated with the COVID-19 pandemic.*

Among the issues we are discussing are the following:

### **Decision making for the best interests of our residents and staff;**

1. School closings and their impact on facility staff
2. Face masks and other PPE
3. HERDS Survey & agency threats of citations and monetary fines for untimely submissions
4. Enhanced reimbursement
5. AHCA Communal Dining Guidance

### **DECISION MAKING DEVIATIONS FROM DOH GUIDANCE**

The DOH has issued providers some guidance documents on dealing with certain aspects of the COVID-19 pandemic. However, many providers are unable to adhere to specific requirements set forth in such guidance documents – including certain aspects of the State's face mask guidance. As such, if you are unable to adhere to the strictures of any DOH guidance document and/or need to deviate from such guidance, it is imperative that you work together with your interdisciplinary team to implement informed policies and procedures that best safeguard the safety, health and wellbeing of all your residents and staff. All such facility specific decisions that may deviate in any way from existing guidance due to lack of physical capability, capacity or supplies must be documented, implemented and communicated to all relevant staff in a uniform and transparent manner.

### **STAFFING SHORTAGE STRATEGIES**

The following are some suggestions for facilities that are experiencing staffing issues:

- Implement 12-hour shifts vs. 8-hour shifts with staff. This may help with covering the workday more efficiently and help families with childcare
- Organizations that have separate training buildings may be able to conduct temporary daycare for staff's children
- Engage the assistance of the Social Worker, Activity or Business Office staff to obtain a local list of available childcare services in the area to provide to Healthcare Personnel ("HCP"). This can be communicated through email, text and posting signage throughout facility
- Reach out to local partners such as churches and synagogues to see if an emergency childcare program could be implemented. If a program exists, inquire as to whether it could be expanded to assist with caring for employee children during the crisis

- Work with local childcare centers to extend hours such as evening hours and weekends during the crisis
- Consider reassigning non-clinical staff to traditional clinical duties such as feeding residents
- Work with the local high schools to develop lists of high school students that may be available to assist or reach out to the colleges to connect students studying childhood development to HCP's in need of childcare
- Develop a rotation list of volunteers of non-nursing staff that would be able to assist with childcare on off hours

### **Face Mask & Hand Sanitizer Guidance**

As previously noted, in light of the significant statewide and national shortage of face masks, NYSHFA | NYSCAL is working with the Governor's office and the DOH to restrain the State's guidance to the current CMS guidelines that recommend a 6-foot radius face mask requirement. We have provided the Governor's office and the DOH with county by county extrapolated face mask needs and shortages based on our statewide survey conducted earlier this week. Until such time as the State's guidance is restrained, please contact your County Office of Emergency Management if you are experiencing a significant shortage of surgical masks and/or hand sanitizer.

### **HERDS Survey**

NYSHFA/NYSCAL has been informed that several providers have been subjected to threats of citations and monetary fines for untimely HERDS survey submissions. We have brought this to attention of the DOH and they recognize this is counterproductive, and as such, the DOH has communicated to its field staff that they must exercise only positive communication to providers.

### **Enhanced Reimbursement**

NYSHFA/NYSCAL is continuing to work with the Governor's office and the DOH to secure enhanced reimbursement assistance to combat the COVID-19 pandemic.

### **AHCA Communal Dining Guidance**

The below link to AHCA guidance will assist you with regard to CMS's March 13th memo concerning the cancellation of communal dining and all group activities in skilled nursing facilities.  
<https://www.nyshfa-nyscal.org/files/2020/03/Communal-Dining-Guidance.pdf>

NYSHFA | NYSCAL will continue to keep you updated on these and all other COVID-19 issues as our discussions progress.

For regular updates, please visit our site **[www.NYSHFA-NYSCAL.org](http://www.NYSHFA-NYSCAL.org)**