



## **Task Force on Long Term Care**

**August 18, 2020, 1:00 PM**

**Governor's 8th Floor Conference Room**

**1700 West Washington Street, Phoenix, Arizona 85007**

A general meeting of the Task Force on Long Term Care was convened on August 18, 2020, via Zoom and at the Governor's 8th Floor Conference Room at 1700 W. Washington, Phoenix, Arizona 85007, notice having been duly given.

### **I. Call to Order**

- A. Christina Corieri, Chair**, called the Task Force on Long Term Care to order at 1:01 p.m. with twenty-nine (27) members and two (2) staff members present.

### **II. Roll Call**

- A. Ms. Christina Corieri, Chair**, welcomed everyone that had joined Zoom and on the public call-in line.
- B.** The following members were excused from the meeting: **The Honorable Joanne Osborne, Arizona State Representative**
- C.** The following members were absent from the meeting: **Ms. Diane Drazenski, family member** and **Mr. Mason Hunter, President, Haven Health Group**.

### **III. Approval of Minutes**

- A. Ms. Chistina Corieri, Chair**, requested a motion to approve the August 11, 2020, meeting minutes.
- B. The Honorable Regina Cobb, Arizona State Representative**, motioned to accept the minutes as drafted. **The Honorable Jennifer Longdon, Arizona State Representative**, seconded the motion, and the motion passed with no dissenting votes.
- C. Ms. Chistina Corieri, Chair**, introduced task force member **Mr. Colby Bower, Arizona Department of Health Services**, and briefly gave an overview of the presentation. The presentation is on the Draft for resuming visitation in long-term care facilities that the Department of Health created based off of the recommendations from the members of the Governor's Task Force on Long Term Care. She explained that the presentation/draft will not be sent to members until teams at the Department of Health have had a chance to review it.

### **IV. Presenter: Mr. Colby Bower, Arizona Department of Health Services**

**Presentation:** Overview of draft plan for resuming visitations in long-term care facilities

- A. Mr. Colby Bower, Arizona Department of Health Services**, introduced himself and thanked everyone for being on the call and will allow for questions and discussions at the end. **Mr. Bower** discussed the main outlines of the drafted plan. He explained that the guidance is including Nursing Care Institutions, Residential Care Institutions, and ICF-IID's. He discussed the definition of "compassionate care visitation" and explained other ways that family members can resume indoor visitation such as presenting a negative COVID-19 test result that is less than 48 hours old, the visitor signs an attestation form, etc. The entire list may be found on the drafted plan. **Mr.**

**Bower** outlined what metrics will be used, how they will be measured, and discussed further mitigation strategies. At this time, the draft plan is not for distribution. The draft will be shared with members once DHS has had a chance to review it.

- B. Ms. Christina Corieri** shared a comprehensive view of the Arizona Department of Health data dashboards and how those metrics (minimal, moderate, and substantial) are easy to read and understand.

**V. Question & Answer and Discussion on Mr. Colby Bower's Presentation,** Overview of draft plan for resuming visitations in long-term care facilities:

- A. The Honorable Kate Brophy McGee, Arizona State Senator** asked if there was any guidance relating to residents having the ability to leave the facility?

- 1. Ms. Corieri** explained that the team did not include recommendations on residents leaving the facility since we are wanting to focus on immediate family visitation. She also mentioned that all labs are coming back with testing results within 24-48 hours. Additionally, many facilities have access to rapid testing, if they prefer to use that and there is a new rapid saliva based testing that may be an option.
- 2. Mr. Colby Bower** discussed the question about cohorting. He explained that cohorting is the idea, "can we all get together in a facility and have a group event such as a game". Right now, the team is saying to not do that throughout any of these metrics. However, **Mr. Bower** said that his team can go back and take a look and get some more clarification on that.

- B. Ms. Donna Taylor, Chief Operating Officer, LifeStream Complete Senior Living,** asked, "after a facility opens, if there is an outbreak (as defined) in the facility, is the expectation that visitation would stop?"

- 1. Ms. Corieri** said that discussion can happen. The team's recommendations as of now, are consistent with CMS recommendations. She mentioned that it would be a case that "originates" in the facility. At any stage, there is always the option to show the negative test to the facility/home.

- C. Ms. Becky Hill, Family Member,** explained that **Ms. Corieri** answered her first question however, had an additional couple of questions. She asked, "For hot counties, there is really no difference between moderate and substantial unless there is a negative test, correct? For less than 5% positivity, at what point will the restrictions go away altogether? Is there an epidemiological standard?"

- 1. Ms. Corieri** responded saying that there has not been guidance from CMS on that but many of precautions (face masks, hand sanitizer, etc) will likely be here in the future. **Ms. Corieri** will take these questions back. She added that in the business guidance, there was clarification that allowed 3% to lift more restrictions.
- 2. Ms. Becky Hill** commented that when designing these policies, she is not comfortable with her mom leaving the visitation area for many reasons.

- D. The Honorable Jennifer Longdon, Arizona State Representative** shared that we need to make sure that family members can visit their loved ones' living space. We have better understanding of how to mitigate the spread of COVID-19, and if everyone takes the precaution, the infection rate goes extremely down. What is the difference in transmission rate between caregivers who come to work versus a family member who could do the exact same thing?

- 1. Ms. Corieri** explained that she was on the phone with CMS yesterday and they let her know that they are going to be announcing new requirements for

testing for skilled nursing facilities (SNFs). There will be workers that will not go more than 72 hours without having a COVID-19 test.

- E. Ms. Pam Koester, CEO, Arizona LeadingAge** asked, “for outside visits, what temperature is considered safe?”
1. **Mr. Colby Bower** discussed that in similar heat situations, people still go outside to smoke, so the answer is relative. Facilities must make sure that they are hydrated and safe when going out there, so when talking about the heat, **Mr. Bower** thinks this is where the autonomy of facilities/homes come in. There are individuals that may be able to handle the heat and some that will not.
  2. **Ms. Corieri** added that facilities will determine time and location. Flagstaff and Prescott will look different than Phoenix and Tucson in the summer.
- F. Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations** stated in the Zoom chatbox, “We should allow outdoor visits during any level of outbreaks and county data if the facility can do outdoor visits safely. The resident could be in a plexy-glass booth, residents could be on a balcony. If we can control the outdoor visit, then the virus cannot be spread into the community”
- G. Ms. Tonsa Price-Edwards, family member**, stated that in the beginning **Mr. Bower** defined who this specifically applies to -- is the expectation that other facilities not named, will follow as a best practice? Additionally, she asked for more information about small group homes.
1. **Ms. Corieri** stated that with independent living, they are not regulated. That it is essentially someone's home and who could choose to leave or have someone come in. She added that we will not require those types of homes to follow any of these, but they are welcome to use some of this guidance.
  2. **Mr. Bower** added that “group homes” are a really broad term. We have assisted living homes, around 2000+ where you have 10 or less residents in those homes. Some of those are regulated and some are not (private).
- H. Ms. Karen Barno, President and CEO, Arizona Assisted Living Federation of America** asked when hair salons will be able to open?
1. **Ms. Corieri** asked Ms. Barno to clarify her questions about hair salons inside of assisted living facilities. **Ms. Dana Kennedy, State Director, AARP Arizona**, responded, confirming that there are many facilities and homes that have hair salons inside for the residents. **Ms. Corieri** said that if they completed and showed a negative COVID-19 test ,they should be able to come in, but would look for guidance on that.
  2. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations** explained that he sees the question above pertaining to entertainers as well. He stated that prior to COVID-19, there were entertainers that would come into the home/facility and perform for small groups of people. An example would be art classes. He added that cohorting could be done in the dining room or other larger spaces.
- I.** A member of the task force asked the about ombudsman getting back in homes/facilities.
1. **Ms. Lisa Pollock, State Long Term Care Ombudsman, Arizona Department of Economic Security**, stated that she wishes there was a hard and fast date, but there are still items to work out. Her team is hopeful that they will be getting ombudsman back in soon.

2. **Ms. Corieri** responded to **Ms. Pollock**, telling her to please touch base with our team next Monday and let us know if there are updates and that we can put her on the agenda for next Tuesday's meeting if so.
- J. The Honorable Regina Cobb, Arizona State Representative** added that the drafted guidance looks like we are trying to follow the same guidelines as a business, but these homes/facilities/centers are different from businesses. The recommendations should be the same for families and caregivers/staff. Representative Cobb asked why we are putting more recommendations on families and that she doesn't see anything that addresses any surrogate who can view their personal space and be the voice if the resident is unable. She followed up with a question to Mr. Bower about the difference between tracking flu-like symptoms and COVID symptoms.
1. **Mr. Bower** explained that his team is currently tracking both the flu and COVID-19 separately and that cases per 100,000 are based on actual test results.
- K. The Honorable Jennifer Longdon, Arizona State Representative**, wanted to know more details about who funds all of the testing.
1. **Ms. Corieri** stated that testing results were a problem in July for many labs, however, they have only improved since then. The FDA just approved a new rapid saliva test and are looking at more details on that. She added that skilled nursing facilities will be receiving rapid testing machines and that in terms of who pays, it depends. There are community sites where the federal government is paying, where the health insurance pays, or the state pays. Certainly AHCCCS and CMS are paying, regardless of network. There should not be a cost related to testing. The only one to check on would be the Federal ERISA Plans. That is not an area where the state has authority.
- L. Ms. Jakenna Lebsock, Assistant Director, Arizona Health Care Cost Containment System** asked if animals are currency prohibited from coming in, specifically emotional support animals.
1. **Ms. Corieri** stated that it would depend on the human handler of that emotional support animal. She said that they could fall under compassionate care, or follow the other guidance to be allowed in for visitation.
  2. **Ms. Jakenna Lebsock, Assistant Director, Arizona Health Care Cost Containment System** added that most of the human handlers are volunteers.
- M. Ms. Becky Hill, family member** asked in the Zoom chat, "Would it be within the scope of this TF to talk about something Ms. Cobb brought up which would be to identify funding sources or tax credits to create a shaded space outdoors for facilities that do not have them accessible to visitors without those visitors coming in to the building first?"
- N. Ms. Heather Friebus, Administrator, Devon Gabels Rehab Center**, addressed the task force members stating that a lot of comments have been made about protecting residents and she wanted to give her perspective as a manager. She shared that her facility employs 20 managers and wants to make sure that everyone knows that 24/7, they are watching and taking care of residents. That the employees and caregivers are doing everything right and are constantly in communication with loved ones, ombudsman, etc. She said that the difference between visitors and employees, is that she had to let go of employees who didn't comply. Ms. Friebus stated that she is on board and wants to make safe visitation available but wants the group to

recognize that they have 200 residents who have done a supreme job of keeping COVID-19 out.

- O. **Ms. Gaile Dixon, President, Dream Catcher Assisted Living**, wrote in the group chat saying, “all of my residents were tested per ADHS Vestra Labs on August 6. I received the results yesterday August 17. The lag is still occurring regardless of what the labs may report.”
  - 1. **Ms. Corieri** asked who the testing was being done by. **Ms. Dixon** reiterated that it was ADHS Vestra Labs. **Ms. Corieri** stated that labs are expediting tests that are coming from hospitals and that the team is going to see if there can be the ability to do the same thing for long term care facilities.
- P. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations**, put in the Zoom chat, “have to re-ask the question.....if a family member could prove they had C-19 and has recovered, may this family member have a permanent free pass for visits?”  
**Mr. Rocky McKay, President, Arizona Assisted Living Homes Association**, added, “I would add on to Scott’s question about if a resident has already had it and have recovered would the families be allowed in.”
  - 1. **Ms. Corieri** stated that there are no documented cases where people have had a full resurgence and that she could talk to DHS about that.
- Q. **Ms. Becky Hill, Family member**, asked in the Zoom chat, “Assuming we get on the same page and adopt a plan in the week or two, when would it take effect. In other words, when would the families be able to rely on the plan?”
  - 1. **Ms. Corieri** stated that once it is adopted, DHS would have to do a little bit more work but then something could be up within the week.
- R. **Ms. Tonsa Price-Edwards, family member** would like to see this process expedited.
  - 1. **Ms. Corieri** enthusiastically explained that the team wants to make sure that there is an immediate option for visitation. The option where, if you have a negative test result, you would be able to have immediate access to loved ones

## VI. Upcoming Meeting Dates

- A. **Ms. Christina Corieri, Chair**, asked members to send any comments to either Ms. Tuesday Elias or Ms. Grace Appelbe. The next meeting will discuss the future of testing for facilities and homes.
- B. Next meeting will be Tuesday, August 25, 2020, at 1:00 p.m-2:30 pm. For members of the task force, Zoom information will be provided at a later time. Call in for the public is made available here: <https://goyff.az.gov/meeting/lctcf/2020/08/11>

## VII. Call to the Public

- A. **Ms. Christina Corieri, Chair**, reminded members on Zoom and within the public call line, that call to the public are written only, submitted here: <https://goyff.az.gov/webform/written-public-comment>
- B. The following remarks were submitted on August 17, 2020, and have been redacted and summarized for confidentiality purposes:
  - “Mary Daniel is a Florida woman who, prior to LTC lockdowns, was a daily caregiver for her husband. After not being allowed inside his facility for 4+ months, she took a job as a dishwasher in her husband’s facility as a means to see her husband. Mary is the initiator of the Caregivers for Compromise (state) groups now advocating for access to our family members in LTCs. As Mary asked in Florida’s August 14 Task Force Meeting: “Why am I allowed to touch my husband (as a dishwasher) but I am

not allowed to touch him as his wife? That makes no sense." I ask the same question: Why are we being denied access when, as essential caregivers, we are willing to abide by the same precautions employees are abiding by? We are not asking for unsafe reopening. We are asking for reasonable safe reopening. As considerations are underway, I request they consider access to resident rooms and not just a designated room inside the facility. While not accusing without merit, families have no way of knowing how well residents are being treated unless we have access to where they reside/their rooms. I understand that facilities are concerned about bringing COVID-19 into their facilities. Those of us who want inside know our responsibility is to participate in management of risks and to follow public health guidelines for staying safe. Please help us." - *Cindy Frazier* In another public comment, Ms. Frazier explained how her mother has dementia and strongly feels that her care is far more effective and important than some of the health care workers. Additionally, in another public comment, Ms. Frazier expressed that she is looking forward to the final plan that will allow family members back into the homes of loved ones. She explained that it is her hope that "facility business decisions are not allowed to override residents rights. I would hate to see facilities be allowed to continue to deny access where guidelines are met. Thank you." - *Cindy Frazier*

- "Our company provides home health, therapy and hospice services to independent and assisted living facilities. These are services provided in skilled and subacute settings but not in independent and assisted units. Medicare, Medicaid and the Arizona State Health Department have stated that these services are essential and needed but many independent and assisted facilities are not allowing professional and licensed personnel to come to their campuses to perform these duties. This is happening despite the state health department encouraging these types of service. We would like the state to require participation of these centers, with the proper requirements (masks, gloves etc.) just as they do with their own staff, in order to make sure their residents are getting proper services. It is essential for the health of their residents. They don't typically have the staffing and qualifications to provide these services on their own." - *Gregory S. Anderson*
- "When can visits resume in the rooms of loved ones at Assisted Living Facilities in Mesa. If limited to one person at a time and only confined to their room, masked? The summer temperatures are just too hot for seniors to be out in the heat! Seniors need their family! Just moved my mother here from Ohio and she is so scared and alone, doesn't understand why she cannot see me." - *Kristine Chaney*
- "Please at least consider one primary family member for in-person visits. We are prepared for doing what is needed to visit: full PPE, time constraints on visits. We cannot continue to keep our elders in isolation. They are having cognitive, emotional & physical decline and even dying from neglect as a result of no-contact visits." - *Jennifer Akins*
- "It is time to start allowing family members to visit residents. I speak on behalf of my family who hasn't been able to see our loved one in memory care for five months. His cognitive abilities are rapidly declining. He is basically in prison. No matter what they say, window visits are NOT the same. Plus it is 117 degrees and we have no air conditioning in our window area. We used to take him out to dinner, church, and activities. He hasn't been out of the facility for five months and he is very depressed. I

believe the isolation and loneliness are worse than the risk of getting the virus. People are dying of loneliness. Residents should have the right to see their families. Please consider opening nursing homes, assisted livings to visitors!” - *Sheila Luna*

- “This poem was written to give a voice to the esteemed men and women in long-term care facilities and assisted living homes. Hopefully, it will inspire continued good work and efforts to find a safe solution for visitation.

PLEASE DON'T FORGET ME

Please don't forget me; I am still here,  
Lonely, confused, and in constant fear.  
I don't know how any of this came to be,  
Family or friends no longer can I see.  
I feel so lost and forgotten; it's so scary for me,  
Like a never-ending nightmare, I cannot flee.  
I think about them and miss them every day,  
I wonder do they think of me, and are they okay?  
All the staff wear masks; their faces I can no longer see,  
But their masks can't shield the anguish and distress from me.  
I yearn for a hug, a gentle touch, a human embrace,  
Or, the warmth of a gentle hand along my face.  
I close my eyes and remember how things used to be,  
All the delightful times I've shared with friends and family.  
I reminisce each moment for the sadness to ease,  
Thank God that for now, I still have wonderful memories.  
Please don't forget me, this is all so much to bear,  
Thank you for listening, please show me you care.”

*By: Sheryll Prokop, a certified long-term ombudsman volunteer.*

- A member of the public would like to know if there is a zoom call that the public can join instead of a call-in line. They also expressed that residents should have the autonomy to make choices instead of being told what they can or cannot do. - *Tamara Skiba*
- Currently only the hospice nurse is allowed into the facility. Consider allowing the rest of the Hospice staff into the facility ie. CNA's and Chaplain as soon as possible per your guidelines. They are really missed by the patients and staff of the facility. - *Lisa Daczka*

### VIII. Adjourn

- A. Christina Corieri, Chair**, called for adjournment at 2:09 p.m.
- B. Ms. Becky Hill, family member**, motioned to adjourn, **Ms. Karen Barno, President and CEO, Arizona Assisted Living Federation of America**, seconded the motion, and the task force voted unanimously to adjourn.

Dated August 18, 2020  
Task Force on Long Term Care  
Submitted by Tuesday Elias  
Policy Assistant, Office of Governor Doug Ducey