

# THE RESIDENT ADVOCATE

A newsletter for long-term care residents containing news and information on rights, care issues, and updates on national policy.

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## Updated COVID-19 Visitation Guidance

This has been a difficult year for everyone. The good news is that because many nursing home residents have been vaccinated against COVID-19, the Centers for Medicare & Medicaid Services (CMS) updated their visitation policies in March. These updates should make it easier for residents to have visitors and to reunite with their family and friends.

### The updated guidance says:

- **All visits should be person-centered.** This means they should consider what the resident needs;
- **Indoor visitation is now allowed at all times,** except in very specific circumstances;
- **Vaccinated residents may now touch and hug their loved ones;** and
- **Visitors do not have to be vaccinated or tested before they enter facilities,** though it is recommended.

## DID YOU GET YOUR VACCINE?

**Long-Term Care Facilities should be providing vaccines to all residents and staff.**

### Indoor visitation can be limited in three situations:

1. For an unvaccinated resident who lives in a nursing home where many people in the nursing home (30% or more) are not vaccinated and where there are high rates of COVID-19 in the community (the county COVID-19 rate is over 10%).
2. When a resident has COVID-19, whether or not they are vaccinated.
3. When a resident is in quarantine, whether or not they are vaccinated.



Nursing homes are permitted to limit the number of visitors in the facility at any one time and the length of visits so that infection prevention principles, like social distancing, are followed. If you share your room, you may be asked to visit in a different part of the nursing home, unless you are unable to leave your room because of your health. Outdoor visits are encouraged whenever possible. For all visits, nursing homes must take into account the needs and preferences of each resident.

Another time visits can be restricted is if your nursing home is experiencing an outbreak of COVID-19. This means, if one or more staff or residents in your nursing home test positive for the virus. The good news is that, if the outbreak is only in one area of the nursing home, visitation should continue in other areas.

**It is important to remember that nursing homes cannot restrict indoor visitation without a reason.**

### Compassionate Care Visits

One type of visit that can never be restricted, even for the reasons listed above, are compassionate care visits. These visits happen if a resident is suffering or declining – physically or emotionally. If this is the case, visits are always allowed, even when there is an outbreak or when a resident is COVID-19 positive. These visits do not have to be from family members; anyone the resident wants to help them should be allowed. Like all visitation, compassionate care is person-centered and should put the resident's needs first.

### I am still not allowed visitors, what do I do?

Safe visitation should now be happening in all nursing homes. If you are concerned your nursing home is not following the CMS guidance, contact your long-term care Ombudsman program for help.

**Find your long-term care Ombudsman program at**

[https://theconsumervoice.org/get\\_help](https://theconsumervoice.org/get_help).



### New updates from the CDC

Vaccinated residents can now participate in group activities and dining with other vaccinated residents without masking or social distancing. If unvaccinated people are present, then everyone should wear PPE (such as masks) and unvaccinated people should continue social distancing.

Vaccinated residents and their vaccinated visitors, who are visiting alone in the resident's room or another designated visitation room, can have close contact without PPE (such as masks).

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-after-vaccination.html>

## Survey on what is happening in your nursing home



Is your nursing home opened for visitation? Are they allowing you to have indoor and outdoor visitation? Can you have communal dining or take part in group activities? Is your resident council meeting? Are there things you want us to know?

**Consumer Voice would like to hear from you about what's happening. Fill in our resident survey here to share your experiences:**

<https://www.surveymonkey.com/r/ltc-resident-survey>.

## When might a resident be quarantined?

One reason a nursing home can restrict indoor visitation is if a resident is in quarantine after arriving at or returning to a nursing home. We know that many residents are eager to leave their nursing home to visit friends and family, so it is important to understand when your nursing home can require you to quarantine. According to the Centers for Disease Control and Prevention (CDC), there are specific situations when residents need to quarantine.



### Admission

- If you are newly admitted to a nursing home, or are being readmitted (such as moving in again after leaving for a period of time) and you are not vaccinated, the nursing home will require you to quarantine.
- If you are newly admitted, or being readmitted, to a nursing home and you are vaccinated and have had close contact (been within 6 feet for more than 15 minutes) with someone with COVID-19, then you will also be required to quarantine.
- However, if you are newly admitted or readmitted to a nursing home and are vaccinated and have not been exposed to anyone with COVID-19 or if you have had COVID-19 in the past three months, you should not be required to quarantine.

### Leaving a nursing home for more than 24 hours

- The same rules apply if you leave your nursing home for more than 24 hours for an overnight (or longer) visit. You will be required to quarantine if you are not vaccinated or if you are vaccinated and have been in close contact with someone with COVID-19. Otherwise, you should not be required to quarantine.

### Leaving a nursing home for less than 24 hours

- If you leave your nursing home for less than 24 hours (such as going shopping or to visit friends or family), you only need to quarantine if you had close contact (within 6 feet for more than 15 minutes) with someone with COVID-19, regardless of your vaccination status.

It is important to remember that **you always have the right to leave your nursing home**. If your nursing home is asking you to quarantine when you shouldn't have to, contact your long-term care Ombudsman program.

## A Year of Lockdown and Loss



The COVID-19 pandemic and visitation ban have resulted in residents suffering and dying from isolation, loneliness, and poor care. Consumer Voice would like to honor and remember those we've lost.

Visit [www.theconsumervoice.org/issues/other-issues-and-resources/covid-19/year-of-lockdown](http://www.theconsumervoice.org/issues/other-issues-and-resources/covid-19/year-of-lockdown) to watch a video remembering those we've lost and hear directly from residents and family members about their experiences during the COVID-19 pandemic.

## I Still Have RIGHTS!

Although many aspects of nursing home life have changed since the COVID-19 crisis began, your right to quality individualized care has not. You still maintain your federally mandated resident rights, and facilities are still required to provide the care and services you need to reach your highest level of well-being.

COVID-19 has not changed your right to be free from abuse, neglect, misappropriation of property, and exploitation. Your facility must have policies that prohibit and prevent this from happening, and staff must file a report if they suspect abuse. You also still have the right to voice your concerns without the fear of retaliation; your facility must make prompt efforts to resolve your concerns. You have the right to organize and participate in a resident council; your facility must provide you with a private space and a designated staff person to assist and respond to requests from the council. The majority of transfer discharge protections are still in place.

If you believe your rights are not being protected, continue to advocate for yourself and contact your long-term care Ombudsman program. Find your Ombudsman at [https://theconsumervoice.org/get\\_help](https://theconsumervoice.org/get_help).



## October is Residents' Rights Month: Reclaiming My Rights, My Home, My Life



2020 Resident's Voice Challenge submission  
by Peter, a long-term care consumer.

Residents' Rights Month is an annual event to honor residents living in all long-term care facilities. Throughout the COVID-19 pandemic, long-term care residents have seen some of their most basic rights suspended. In the facility in which you reside – your home – your life has likely been upended.

The 2021 Residents' Rights Month theme, **Reclaiming My Rights, My Home, My Life**, highlights the need for residents' rights to be recognized, recovered, and reasserted. It emphasizes the recognition of the long-term care facility as the residents' home, and the importance of residents reclaiming their own lives. [Visit www.theconsumervoice.org/events/2021-residents-rights-month for more information and resources.](http://www.theconsumervoice.org/events/2021-residents-rights-month)

### Resident's Voice Challenge

The Resident's Voice Challenge is an opportunity for long-term care consumers to respond to and reflect on this year's theme. Resident's Voice entries can include original essays, poems, artwork, photos, or videos. **Submissions are due September 1, 2021.** to 1025 Connecticut Ave, NW, Suite 1000, Washington, DC 20036 or email [info@theconsumervoice.org](mailto:info@theconsumervoice.org).

**For more information and resources** on COVID-19 and how to advocate for yourself, visit <https://theconsumervoice.org/issues/other-issues-and-resources/covid-19>.



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