



Amended on Tuesday, September 29th, 2020

Task Force on Long Term Care

September 22, 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 September 22, 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. Ms. Christina Corieri, Chair**, called the Task Force on Long Term Care to order at 1:00 p.m. with twenty-eight (28) members, two (2) staff members, and guest Dr. Cara Christ present.

II. Roll Call

- A. Ms. Christina Corieri, Chair**, welcomed everyone that had joined Zoom and on the public call-in line. Ms. Corieri introduced Dr. Cara Christ, Director of the Arizona Department of Health Services to the task force members.
- B. The following members were excused from the meeting: The Honorable Kate Brophy McGee, Arizona State Senator, Ms. Tonsa Price-Edwards, family member**

III. Approval of Minutes

- A. Ms. Christina Corieri, Chair**, requested a motion to approve the September 15, 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. Christina Corieri, Chair**, announced that the next meeting will be **Tuesday, September 29th at 1 pm** and that we will continue to have these meetings for the foreseeable future as long as the task force members are available. The topic for the next meeting will be to discuss if/how/when a resident can leave and reenter their facility/home/center.

IV. Presenter: Lisa Pollock, State Long Term Care Ombudsman

Presentation: Ombudsman Update

- A. Ms. Lisa Pollock** shared with the task force members that the Ombudsman has been able to visit various houses/facilities. That they had a tough start because there was confusion if Ombudsman were able to enter homes without having a negative-COVID test. She shared that the Arizona Department of Health Services was able to clear that up and they were able to visit areas. **Ms. Pollock** asked **Ms. Corieri** and **Dr. Cara Christ** if there was any way to include "proper PPE" in the guidance. She explained that some homes seem to be taking extreme measures such as "requiring two masks, one of them being an N95, in addition to a face shield". That could be a financial burden on some individuals. **Ms. Corieri** said that we could look into clarifying that information.

V. Presenter: Tuesday Elias, Office of Governor Ducey

Presentation: Update on the status of each county (Substantial, Moderate, Minimal)

- A. Ms. Tuesday Elias** shared which phase each county is in as of 9 am on September 22nd. Information on county status can be found [HERE](#). This information is updated every Thursday.
- B. Green** (minimal phase): Greenlee
- C. Yellow** (moderate phase): Apache, Cochise, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Pima, Pinal, Santa Cruz, Yavapai, Yuma
- D. Red** (substantial phase): Graham

VI. Presenter: Christina Corieri, Office of Governor Ducey

Presentation: Overview of proposed changes to “COVID-19 Guidance for Visitation at Congregate Setting for Vulnerable Adults and Children”

- A. **Ms. Christina Corieri** and the Arizona Department of Health Services took into consideration the task force member’s recommendations and updated the guidance. The new updated guidance and updated chart that is on page 6 of the guidance, was sent to task force members on Friday evening for review. **Ms. Corieri** discussed the new changes stating that there are three paths for family members to visit their loved ones. The first path is that you are in the first group (on the chart): Compassionate Care Visitors, Medical and Dental Personnel, Clergy, Ombudsman, and Designated Essential Visitor. The second path for visitation depends on where your county is (minimal, moderate, substantial). The third path is the testing path, which will get you indoors before your county reaches a certain phase. Residents are able to assign either one or two Designated Essential Visitors. These Designated Essential Visitors must abide by the rules and regulations that are listed in the new guidance. Additionally, there has been guidance around bed bound residents and ensuring privacy. Will open it up for some questions/discussion.
- B. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations**, shared that when a county is minimal, he feels that Designated Essential Visitors should be tested more than once a month. He would recommend that these visitors be tested weekly. He has seen COVID being caught in and out of the building.
- a. **Ms. Corieri** explained that the reason we said once a month is because that is what is consistent for CMS guidance for staff. **Ms. Corieri** asked **Mr. McCutcheon** that if his county was in green, would he require his staff to be tested weekly instead of monthly?
- b. **Mr. Scott McCutcheon** stated that he would test weekly if it was supplied to his facility.
- C. **The Honorable Regina Cobb, Arizona State Representative** added to that point, stating that when we are in minimal, employees and family members should only be tested monthly! She disagrees with **Mr. Scott McCutcheon** on that. **Dr. Cara Christ** explained that her team wanted to be consistent with CMS guidelines. Minimal phase means that there is minimal spread in the community. If they go back to moderate, then testing would increase once again. If you wanted to do weekly testing, that cost would be incurred on the facility/home.
- D. **The Honorable Regina Cobb, Arizona State Representative** noted to the Task Force members that there is a need for “in-room” visitation and would like that clarified on either the DHS guidance or the FAQ sheet. **Ms. Christina Corieri** stated that in the FAQ sheet, it will state, “...Designated Essential Visitors must have access to the resident’s living space (including their bedroom). The time a Designated Essential Visitor can spend in the resident’s room is not limited by state policy, however, if the resident has a roommate in the bedroom area, the Designated Essential Visitor shall not enter the bedroom while the roommate is there and cannot stay in the bedroom for more than 15 minutes without prior approval the roommate or the roommate’s authorized representative.” **Ms. Corieri** will have **Ms. Tuesday Elias** amend the 9/22 minutes. - Amended on Tuesday, September 29th, 2020
- E. **Ms. Virginia Rountree, Deputy Director of Programs, Arizona Department of Economic Security**, asked if we can add APS (adult protective services) investigators to the list. **Dr. Christ** and **Ms. Corieri** answered yes.
- F. **Ms. Becky Hill, family member**, stated that families should not be tested more than staff. She understands the nervousness of allowing individuals into the homes, however, most of these designated caregivers are already the residents care givers. We want people to be comfortable, but designated caregivers should not be tested more than staff.
- G. **Mr. Justin Stein, District Director of Operations, Brookdale Senior Living**, stated that he agreed with **Mr. McCutcheon** is nervous about testing once a month. He stated that in assisted living, if someone even has one symptom, they send them home and get them tested. That gives the facility the advantage of keeping residents and staff safe. In his business, they ask that families and vendors coming in do the same. **Ms. Corieri** stated that you can do the same symptom screening for families

that you are doing for your staff, that is in the guidance. You absolutely can and should screen the same. Masks are also worn at all times.

- H. **The Honorable Jennifer Longdon, Arizona State Representative**, asked, could legal council be allowed into facilities to meet with residents? **Ms. Corieri** stated that we can explore that. **Dr. Christ** added that her team will look at how CMS is handling this as well.
- I. **Ms. Gaile Dixon, President, Dream Catcher Assisted Living**, had a question about designated essential visitors being “let in at any time” and how that is concerning because there is a limited amount of staff in order to facilitate this request. She asked, does a facility have the ability to set time visiting hours to make sure that staff are not overwhelmed? **Ms. Corieri** stated that yes we can explore that but we want to make sure these families have access to the home when needed. **Mr. Rocky McKay, President, Arizona Assisted Living Homes Association**, added to that comment and stated that now that residents can have two residents, there could be up to 20 new people in the residential homes. There will have to be some sort of restriction that we (residential home) can set as the operators of the home. **Ms. Corieri** stated we will work on that because that is a valid point when you are talking about a smaller residential home.
- J. **Ms. Tiffany Wilkins, Vice President for Operations, Spectrum Retirement**, requested that we add “home health”, they are similar to hospice care.
- K. **Ms. Donna Taylor, Chief Operating Officer, LifeStream Complete Senior Living**, stated that as it related to the designated essential visitor, even the CMS guidance states that regardless of the visit, physical contact should be limited.
- L. **The Honorable Joanne Osborne, Arizona State Representative**, is very appreciative of the work that has been done in this task force and has heard great things about the Designated Essential Visitors. With the green/minimal phase, we need to keep the family testing the same as the employees. Family members (Designated Essential Visitors) should not be treated differently than the staff and do not want to move backwards in the new guidance.
- M. **The Honorable Tyler Pace, Arizona State Senator**, appreciates the advancement since last week. He shared with the group to keep in mind as we move forward, testing is designed to capture those who are asymptomatic spreaders. As we know, that ranges in our population. Asymptomatic individuals are less likely to spread than symptomatic individuals. When we screen people, we are looking for those who are symptomatic. Some facilitates want to test more frequently, and while that is great, we have to keep in mind why we test in the first place. Senator Pace has spoken to 32 of his providers and they are very comfortable with these new guidelines. Additionally, he believes that we should come back, after implementation, and see what is happening on the ground. **Ms. Corieri** agreed and added that there are task force meetings that are on the calendar.
- N. **Ms. Heather Friebus, Administrator, Devon Gabels Rehab Center**, asked if Designated Essential Visitors should be allowed to visit during “outbreak status”. **Dr. Cara Christ** said that the intent is yes, we would recommend letting them in. we can use the CMS definition for “outbreak”. For facilities that are CMS certified, they will already be following the CMS guidelines. **Ms. Friebus** followed up, saying that Designated Essential Visitors would be able to come in in Substantial. Can facilities put a limit on how many visitors can come at one time? **Dr. Cara Christ** stated that DHS will take a look and see how we can structure the language on that.
- O. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations**, if we move from weekly to monthly when the county goes green, could we wait for monthly testing until the county has been green for six weeks. That seems like a smarter way to allow families to visit. **Ms. Corieri** stated that if the county goes green, they would have had to make the metrics for already two weeks. **Dr. Cara Christ** stated that a county would be at minimal before turning “green”. We have noticed that we are plateauing, and minimal is a little farther off that we hoped to. We will look and see if we can come up with some language.
- P. **Ms. Karen Barno, President and CEO, Arizona Assisted Living Federation of America**, stated that vagueness does not work a lot of the time. If a facility is open from 8am - 10pm, would a designated caregiver be able to come after business is closed? **Ms. Corieri** stated that the intent is not 24 hours, but rather they have the flexibility for when they need to come in or the resident needs them.
- Q. **Ms. Becky Hill, family member**, asked if there is the ability to revisit the 48 hours requirement? **Dr. Cara Christ** stated that CDC guidelines also recommend 48 hours. She explained, if you were to be

exposed on the day that you were tested, you are likely not going to develop or shed virus within the 48 hours. That is why we are sticking with the 48 hours. Saliva based testing has a 17 hour turnaround time which is free for every Arizonan. **Ms. Corieri** clarified that the 48 hour rule does not apply to the Designated Essential Caregivers.

- R. **Ms. Gaile Dixon, President, Dream Catcher Assisted Living**, shared that during visitation, it is difficult for families to maintain their PPP, especially if the employee is out of sight. She explained that family members would take off their mask or hug their loved one. Could we add, “families can request privacy....use of PPE, sign attestation form that they will be following guidelines, etc?” She explained that that would ensure more privacy for families and more peace of mind for the homes and facilities.
- S. **Ms. Donna Taylor, Chief Operating Officer, LifeStream Complete Senior Living**, asked if the guidance is the floor or ceiling. Adding where is flexibility and where is not flexibility? She recommended that the DHS team create a comprehensive outline of where are the “should” and “shall’s”, and the “may” and “can’s”. **Ms. Corieri** stated that the chart is the “shall”.
- T. **The Honorable Jennifer Longdon, Arizona State Representative**, reminded the task force members that we are discussing the resident’s home and we need to treat these individuals how we would want to be treated in our home. That we need to make sure that residents have the most amount of comfort and freedom.
- U. **The Honorable Lela Alston, Arizona State Senator**, thanked everyone for taking the time to create the best solutions for everyone.
- V. **Mr. Mark Clark, President and CEO, Pima Council on Aging**, stated that access and collaboration is very important and most of what has been said has been appropriate.
- W. **Ms. Dana Kennedy, State Director, AARP Arizona**, stated that for 6 months, she has heard of the pain that families have gone through due to not seeing their loved ones. She appreciates the work that this task force has put in, and this guidance is a step in the right direction.
- X. **Ms. Corieri** explained the new changes that would be added today and what changes would need more discussion from DHS. **Ms. Corieri** stated that these new guidelines can be posted by the end of the day tomorrow. However, the team will work on an implementation date and that it will likely be similar to the first guidance. A vote on the new proposed changes will occur.
 - a. **Ms. Pam Koester, CEO, Arizona LeadingAge**, stated that she understands the 48 hour testing requirement, however, rural facilities have a harder time getting a test result before 48 hours.
 - b. **The Honorable Tyler Pace, Arizona State Senator**, stated that we need to add “home health” is added into the document and that the guidance is able to be understood by the average person.
 - i. **Ms. Lisa Pollock, State Long Term Care Ombudsman, Arizona Department of Economic Security**, seconded that.
 - c. **Ms. Gaile Dixon, President, Dream Catcher Assisted Living**, stated that as assisted living operators, we are here to protect our residents. She added, if the virus gets in, it will affect everyone. That if it seems that we want to be strict, we are. We are protecting them with all of our might.
 - d. **Ms. Becky Hill, family member**, asked, will residents be able to leave the property? She added that as holidays get closer, we should talk about that. **Ms. Corieri** stated that we will be meeting next week, and we will talk about leaving and coming back to the property.
- Y. **Ms. Corieri** stated that we will be putting together an FAQ document.
 - a. Vote: 27 members supported the guidance, three (3) members were absent for the vote.

VII. Upcoming Meeting Dates

- A. **Ms. Christina Corieri, Chair**, asked members to send any comments to either Ms. Tuesday Elias or Ms. Grace Appelbe.
- B. The next meeting will be **Tuesday, September 29, 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/lpcf/2020/08/11>

VI. 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 before September 22, 2020, and have been redacted and summarized for confidentiality purposes:

- “I am very confused. I contacted the facility my father is at. I forwarded them my negative test results and the director stated they are still working on policies. Your instruction stated that regardless of the level of COVID at the facility we were allowed to see our loved ones. What can I do to ensure I can start seeing my loved one? I have now gone for 2 tests, both negative, and am still being denied.” - *Barbara Payne*
- “With CMS implementing new guidelines on September 17, I hope Arizona DHS and this committee will follow suit. What seems to finally be recognized by CMS, even while we families and media have been communicating these concerns and suggestions much earlier, is that isolation is causing significant issues for LTC residents and in-person visitation needs to be allowed again. And while since August 11 the suggestion of an essential/designated caregiver role has been submitted to this committee (via Ms. Corieri) by Arizona Caregivers for Compromise and others and even though the subject is only now being discussed by this committee, CMS is indicating that nomenclature/role is not necessary (pages 2 and 4). So as I continue to beseech this committee to listen to families relaying front-line experiences and to continue to work with applicable groups to improve testing turnaround, I assume we can expect the implementation of CMS’ new guidance in Arizona. I look forward to timely communication from the Governor, AZDHS and this committee regarding that.” - *Cindy Frazier*
- “I need to move my mother into an Assisted Living community, however, they are only offering virtual tours. My mother does not have good vision and does not understand virtual touring. When can I go and visit/tour communities with my mother? We have both been quarantined since March, she continues to fall and I can no longer care for her as it is compromising my health and hers. I know we are looking out for everyone’s safety but I have to think that long term care business is being affected in a negative way by not being able to offer in-person visits to someone in need of their services. I look forward to hearing the responses from the group!” - *Julie Evans*
- A member of the public expressed her frustration with the guidelines that the Task Force has recommended and how difficult it is to have a visit within the 48-hour timeframe. Additionally, she explained that family members have more strict guidelines than the employees working at the facility/home. She added, “This task force has been meeting after meeting for 2 months now and produced a “Guidance” document that no one can live up to. The guidelines need to be reasonable and workable.” - *Deborah Conn*
- “My mother is currently in an assisted living facility. She is in the memory care area and has dementia along with other medical issues. I am grateful for the visits now in person at a distance with masks. But in six months her dementia has progressed partly due to isolation from family. I am her caregiver and she needs regular visits in her private living area. She is 86 and what quality of life she has is being confined like a prisoner. My friend’s mother had a major stroke a few days before she was going to see her and has passed now. The thought of her spending her last six months alone is devastating. I don’t want this for my mother. Many of us are willing to take a COVID test and follow all guidelines as if we were employees. Please consider this option for at least one main family member. Visiting her once a week or two weeks is not enough.” - *Diana Wise*
- A member of the public would like to support the idea of an “essential caregiver” and that she has been her father for many years. “I demonstrate the personal empathy, sensitivity, kindness, and understanding that many agencies and providers are unable to provide. Although the guidelines are to protect our aging population, this is unworkable and unacceptable” - *Debra Ohlinger*
- “Who will do the testing for DEV? Will the facility? Will it be rapid results testing? Where is the best place to go for consistent testing for the DEV? When does this begin? When do we start to test to get in to see our loved ones? When will the facilities get the charts allowing the DEVs? My Mother’s facility is not allowing any visits or than through a window. Since I attend my Mother’s doctor appointments, can I now also be the one designated to take her in my car instead of medical not sanitized transport?” - *Diane Heuel*
- A member of the public is appreciative of the task force’s work, however, is very frustrated that she has not been able to visit her mother. She feels that the guidance is too challenging for individuals to meet.
- “I have not been able to visit my father for five months. The long-term care facility he is living in, requires a Covid test with a result within 48 hours based on the guidelines from your committee. Unless I lie when I go get a test, I am unable to get a rapid result test. I am suffering anxiety, and this has certainly exacerbated that. I have no problem following the guidelines, but how can I do that? When there is no place out there I can find that will provide me results within 48 hours. Please address this issue.” - *Patti Irvin*

VII. Adjourn

- A. **Christina Corieri, Chair**, called for adjournment at 2:08 p.m.
- B. **The Honorable Jennifer Longdon, Arizona State Representative**, motioned to adjourn, and **The Honorable Lela Alston, Arizona State Representative**, seconded the motion, and the task force voted unanimously to adjourn.

Dated September 22, 2020
Task Force on Long Term Care
Submitted by Tuesday Elias
Policy Assistant, Office of Governor Doug Ducey