



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

**August 25, 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 25, 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 1:04 p.m. with twenty-eight (28) 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 absent from the meeting: **Mr. John Albrechtsen, President, Bandera** and **Ms. Tiffany Wilkins, Vice President for Operations, Spectrum Retirement**

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

- A. **Ms. Chistina Corieri, Chair**, requested a motion to approve the August 18, 2020, meeting minutes.
- B. **Mr. Dave Voepel, CEO, Arizona Health Care Association**, motioned to accept the minutes as drafted. **The Honorable Regina Cobb, Arizona State Representative**, seconded the motion, and the motion passed with no dissenting votes.
- C. **Ms. Chistina Corieri, Chair**, introduced guest **Ms. Lisa Pollock, State Long Term Care Ombudsman, Arizona Department of Economic Security**, and briefly gave an overview of the presentation. The presentation will be an update on the Ombudsman entering into facilities.

### **IV. Presenter: Lisa Pollock, State Long-Term Care Ombudsman, DES**

#### **Presentation: Update on Ombudsman Entering into Facilities**

- A. **Ms. Pollock** stated that in-person visitation will recommence as of September 1st on a limited basis. She is happy to answer any questions.
- B. **Ms. Tonsa Price-Edwards, family member**, asked what guidelines are in place to keep residents and the ombudsman safe. **Ms. Pollock** stated that they are following CMS, State, and National guidance and will not be going into facilities that have current COVID-19 cases.
- C. **The Honorable Kate Brophy McGee, Arizona State Senator**, asked what type of protections will Ombudsman individuals have? Ms. Pollock responded stating that her team is following guidance that they have received from Arizona and neighboring states. Additionally, they will be adhering to social distancing guidelines, will have full PPE, and testing will be conducted on a case by case basis.
- D. **Ms. Dana Kennedy, State Director, AARP Arizona**, asked how many facilities do not have COVID-19? Ms. Pollock responded saying that information changes all of the time,

however, they will be diligently working with DHS. Their policy in place is one (1) facility per day to minimize possible infection.

- E. **The Honorable Kate Brophy McGee, Arizona State Senator**, asked if **Ms. Pollock** had a rough estimate or any statistic to show how many facilities that they might gain access to in a quick amount of time? **Ms. Pollock** attested that she would be happy to look this up. She explained again, that the information changes so frequently and quickly.
- F. **Ms. Corieri** suggested that the Task Force on Long-Term Care reconvene in four weeks to talk about how visitation has been going. Additionally, an update from **Ms. Pollock** can be made on how the Ombudsman visitation is going.
- G. **Ms. Corieri** asked **Ms. Pollock** if she could provide any updates or statistics on a weekly basis from September 1st to September 15th to **Ms. Tuesday Elias**, and that Ms. Elias can share them with the task force members. Ms. Pollock said that she would be able to work with her team to do that.

**V. Presenter:** Ms. Christina Corieri, Chair

**Presentation:** An overview of the revised draft plan for resuming visitation in long-term care facilities

- A. **Ms. Corieri** gave a review of the draft and walked through the changes. Some of the changes included a new addition to the definition of “compassionate care visits”. The new definition includes, “... language interpreters and other communication service providers in all stages”. **Ms. Corieri** reviewed the most recent data about where counties are in their benchmark. She added that today there are three or four counties that are in moderate and she wanted to highlight that this Thursday, there are 6 counties that will potentially be moving from substantial to moderate. They have hit their benchmark for one week, and if they hit them for one more week, they will move to moderate (yellow). **Ms. Corieri** added that “moderate” would allow for outdoor visitation providing that the weather is appropriate. Additionally, there have been updates to the enforcement of mitigation measures in the guidance and now visitors who refuse to comply can be removed or denied access. Also, the task force asked to clarify different visitation types such as volunteers, hair salons, etc. The determination is that they would follow the same requirements of any other visitor. **Ms. Corieri** reviewed the rest of the draft plan and opened up for questions from the task force members.
- B. **The Honorable Joanne Osborne, Arizona State Representative**, Gave a scenario and asked about how to handle multi-county visitation/travel. She asked, what if a facility resides in Sedona, however, the family members live in Maricopa, which county should be followed? She added that although it was great to hear Ombudsman back into facilities, they seem to have fewer protocols than what this task force is requiring for family members. **Ms. Corieri** stated that there are two ways that families can resume visitation, either by reaching a benchmark or by providing a negative result and attest that they have isolated themselves from the time they tested until the visitation. She and DHS feel that these pathways are safe and that it is consistent with what facility staff will have to go through as well.
- C. **The Honorable Regina Cobb, Arizona State Representative**, shared her concern about getting test results before 48 hours. **Ms. Corieri** responded that Sonora Quest has confirmed to her this morning that their turnaround time is 24 hours.
- D. **The Honorable Tyler Pace, Arizona State Senator**, asked if **Ms. Corieri** if she/DHS could clarify those living in “independent living”. Asking because they would not have to adhere to under these guidelines. **Ms. Corieri** stated that she will work with DHS about

language regarding “independent living”. **Senator Pace** added that the 48-hour PCR test is very unreliable. He asked, “why are we not talking about people getting the total antibody test, as we know antibody tests last for at least 3 months. What about antigen testing?” **Ms. Corieri** stated that this guidance does not speak to prohibiting antigen testing, however, this type of testing will become more readily available. She added that this language does not rule out the antigen test and that there are some antibody tests that are more reliable than others. **Ms. Corieri** added that we also do not want to provide incentives for individuals to catch COVID in order to obtain antibodies and unlimited visitation. **Senator Pace** asked if she/DHS could clarify more testing options can be made. **Ms. Corieri** said that she believes that language can be clarified. We want people to isolate between getting tested and their visitation and that is the purpose of the attestation form. Senator Pace wanted to know the purpose of the attestation form and where the liability would lie. He added that an attestation form is “admitting” that they did something. Rather, could we just give them a list of rules to follow? **Ms. Corieri** stated that the idea is to not motivate consequences and added that further conversations on liability involve the legislature and not something that DHS can do on their own.

- E. Ms. Tonsa Price-Edwards, family member**, asked who is paying for the testing? Does the test cover one visit or multiple? **Ms. Corieri** stated that individuals can get COVID testing without cost. That both federal and state actions have ensured individuals to not be charged for COVID-19 testing. One test would cover that 48 hour period.
- F. Mr. Rocky McKay, President, Arizona Assisted Living Homes Association**, asked “Will the state cover the employees testing?” **Ms. Corieri** expressed that we are working on that.
- G. Mr. Joseph E. LaRue, CEO, Sun Health**, stated that their current turnaround time is 48-72 hours. **Ms. Corieri** responded asking who they are using? She followed up with saying that she will reach out to try to get visitation testing a priority. **Mr. LaRue** stated that he is using SanoraQuest. **Ms. Corieri** expressed that she talked to Sonora Quest this morning and they gave a different report, she will reach out again and push priority testing.
- H. Ms. Dana Kennedy, State Director, AARP Arizona**, asked in the Zoom chatbox, “What if a family member gets a test, it is negative in the 48 hours and calls to schedule a visit, what is the time frame the facility must facilitate a visit. What if they don't comply with arranging a visit in a timely manner? What is the enforcement of compliance?” **Mr. Colby Bower**, Arizona Department of Health stated that the guidance will include that facilities will need to notify families of their visitation guidelines. As long as there is direct communication, mitigation of that situation can happen. He added that DHS is able to investigate complaints if they are submitted.
- I. Ms. Heather Friebus, Administrator, Devon Gabels Rehab Center**, stated that her team is using Paradigm and the results are coming back within 24-48 hours. **Ms. Corieri** added that ASU is getting results back in ~30 hours. She would do further investigation.
- J. Ms. Becky Hill, family member**, asked, in the red, yellow and green matrix and pieces of the visitation policy, are these minimal or maximum expectations? How should we review these tables? **Ms. Corieri** stated that these are the recommendations that they need to have at this level. For example, if you are in “substantial”, you are required to allow compassionate care and testing options. **Ms. Hill** followed up asking if a county is in moderate and does not have an outdoor space, could they create an indoor space? **Ms. Corieri** explained that they could do that for those who have proved the negative testing option. **Ms. Hill** followed up asking, they are not able to have a more liberal policy if able? **Ms. Corieri** responded that they are able to adjust. For example, they can pick

the “where, when, how long, etc.” However, they cannot jump from substantial to minimal. Everyone has an opportunity for indoor visits at any state via proving a negative test.

- K. Ms. Becky Hill, family member,** asked “could we consider not having a definition for ‘living space’?” and gave an overview of how her mother’s living space looks. **Ms. Corieri** said that we can revisit that.
- L. The Honorable Joanne Osborne, Arizona State Representative,** expressed that she is not in favor of the 15-minute time visit. **Ms. Corieri** explained to the task force, that does not limit the entire visitation. 15 minutes is for the living space only. There can be an additional visit to another area. The visitation can be however long the facility/home will allow, but visitors are limited 15 minutes in the personal living space/bedroom. **Ms. Becky Hill, family member,** commented stating that the room where they sleep may not be the common living space. **Ms. Corieri** stated that we can work on that but we are talking about the small bedroom area.
- M. Ms. Donna Taylor, Chief Operating Officer, LifeStream Complete Senior Living,** asked in the Zoom chatbox, “As a point of clarification -- will a negative antigen test, using one of the rapid devices (Sophia-2 or BD Veritor) suffice to meet this requirement? There has been much discussion around whether or not we can rely on them for asymptomatic people due to the limited availability of data.” **Ms. Corieri** stated that this question will be taken back to DHS for further clarification.
- N. Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations,** asked if a family member was tested on Monday at noon (testing is rolling in anytime) and they get their results on Wednesday at noon, would they be prohibited? **Mr. McCutcheon** expressed that he has not experienced any testing results that get back within 48 hours. **Ms. Corieri** stated that yes, but that is why we are wanting testing to come back before the 48-hour mark. She added that the physicians at DHS believe that 48 hours is the right amount of time. She has also talked to many providers about establishing priority testing.
- O. The Honorable Tyler Pace, Arizona State Senator,** entered into the Zoom chat, “COVID19 PCR Test is \$100+/- . Rapid Antigen Test is \$15+/-, Total Antibody \$50+/-”. He followed up with explaining in detail about the cost of the test and emphasized that a lot of money is spent on testing. He stated, “whoever it is, we all know that it is either coming from taxes or increased premiums.” He gave a scenario that if facilities have ~2,000 residents with visitors coming once a week, that is about ~\$600,000 a week in testing and that is very expensive very quickly. There comes a point, what can some families afford? **Senator Pace** stated that he has used multiple testing groups and none of the tests have come back in 48 hours. He said in the Zoom chatbox, “We have used Sonora Quest, Vikor, Paradigm, Vesta and no reliability of under 48hrs.” **Ms. Corieri** asked **Senator Pace** to share this information with her so she can call and request to create a priority for visitation testing.
- P. The Honorable Joanne Osborne, Arizona State Representative,** asked if there is an age qualifier for children. **Ms. Corieri** stated that there is nothing in this guidance about age requirements.
- Q. The Honorable Kate Brophy McGee, Arizona State Senator,** asked why aren't the requirements the same for employees and family members. **Ms. Corieri** stated that under this guidance, likely by Thursday, a majority of the population in the state can move to outdoor visitation and testing options will be made available. That is far more than what other states are doing at this moment.
- R. Mr. Rocky McKay, President, Arizona Assisted Living Homes Association,** asked in the Zoom chatbox, “Is the turnaround time from when it is taken or when they receive it?” **Ms. Corieri** stated that it is when the swab is taken.

- S. **Ms. Gaile Dixon, President, Dream Catcher Assisted Living**, posted in the Zoom chatbox, "Is there a limit on the number of family members who can visit at one time?" **Ms. Corieri** stated that there is not a limit in these guidelines, however, facilities/homes are able to set their own policies. They might include day/time/location, frequency, appointment, etc.
- T. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations**, stated that speaking on behalf of the facilities, they are excited to bring family members back because they are a big part of the experience. He is disappointed that the guidelines are not more liberal but we cannot wait any longer to have families back in. He continued, if we had it our way, we would want a more liberal set of guidelines to allow more visitation. **Ms. Corieri** appreciates that, and commented that we should see visitations start as early as this weekend and visitation by testing, next week. That many of our counties will likely be in yellow in just two days. We are happy to hear how it is going and receive feedback in the next couple of weeks.
- U. **The Honorable Regina Cobb, Arizona State Representative**, expressed that she appreciates the work being done and the suggestions from the task force. However, she believes that the 48-hour timeline is a problem. **Ms. Corieri** expressed that DHS did not feel comfortable with a 72-hour limit and that she will work with the labs to create a priority and reassess in the next coming weeks.
- V. **Ms. Corieri** stated that the intention today is to move this document forward, and allow DHS to finalize it and put this guidance in place.
- a. **The Honorable Tyler Pace, Arizona State Senator**, would see DHS physicians be brought in to speak about why 48 hours. That it is important that we have all of the opinions available and today that we do not. He stated that the task force members are being asked to support something without any DHS opinions in the room.
  - b. **Ms. Dana Kennedy, State Director, AARP Arizona**, stated that she hears what everyone is saying and is ready to vote in support today. She stated that it is not perfect, but would like to move forward with something and give people hope. **Ms. Corieri** stated for the group that the 15 minutes is only the time in the bedroom, not the whole visit. **Ms. Kennedy** followed up saying that there is confusion between SNFs and assisted living facilities.
  - c. **Mr. Scott McCutcheon, Chief Operating Officer, LivGenerations**, asked if these were recommendations or requirements. **Ms. Corieri** stated that these are the guidelines being followed.
  - d. **Mr. Rocky McKay, President, Arizona Assisted Living Homes Association**, expressed to the group that there needs to be time for providers to develop procedures.
  - e. **Ms. Tonsa Price-Edwards, family member**, when would the first review happen? **Ms. Corieri** would like to meet Tuesday, September 22nd, which is four weeks from today. Open to other suggestions.
    - i. **The Honorable Regina Cobb, Arizona State Representative**, stated that she thinks that we should be sooner, perhaps 2 -3 weeks from now to see if testing comes back in 48 hours or not. **Ms. Corieri** agreed that we could meet the 15th, three weeks today.
    - ii. **Ms. Grace Appelbe** announced to the group she was going to cancel next Tuesday's meeting and adjust that to the 15th. **Ms. Corieri** said please reach out before then if anything immediate comes up.

- f. **The Honorable Joanne Osborne, Arizona State Representative**, stated that she is having a hard time saying yes to these recommendations and her decision has been made difficult since there was not an opportunity to review the draft before the task force meeting and she is frustrated about that. She would like to see loved ones reunited with her family as soon as possible but there are many concerns with the 15 minutes in the personal room requirement and the 48-hour testing requirement. She suggested that the task force come back tomorrow. Ms. Corieri reiterated that DHS felt that visitors should not be in a smaller/confined bedroom space for more than 15 minutes. However, after the visitor was able to see the bedroom/living space, they could go somewhere else with better ventilation and social distance space for the remainder of the 1 hour visit, for example.
- g. **Mr. Mark Clark, President and CEO, Pima Council on Aging**, stated in the Zoom chat, "The language uses the term space and quarters in the same paragraph. It might be good to be clearer with the language."
- h. **Ms. Rosie Abad, Archie Hendricks Sr. Skilled Nursing Facility** is concerned about a semi-private space. **Ms. Corieri** stated, "as long as there is not a roommate"
- i. **Ms. Virginia Rountree, Deputy Director of Programs, Arizona Department of Economic Security**, stated in the Zoom chatbox, "could we ask DHS to please consider adding at least DDD Nursing Supported Group Homes (if not all GH) to the applicable settings? This will help DDD in applying these guidelines to DDD GH. **Ms. Corieri** said that she will bring that up with DHS and to send an email to her and Grace about the specific licensing type. She would be happy to add that.

- W. **Ms. Corieri** stated that her recommendation is that we move forward and start visitation under this policy as soon as possible and then reconvene September 15th to see if any changes or additions are needed. **Mr. LaRue** seconds. **Ms. Corieri** stated that we will vote on these recommendations and she will call names one at a time. Many members expressed that they wished that they were able to view the document before being voted on. Many members made comments about the 15-minute guidelines in the resident's room and the 48-hour testing turnaround. Taskforce members would like to have the ability to speak with DHS representatives at the next task force meeting. A vote is held.
- X. With a vote of **26 ayes, 2 nays, and 2 absent**, the draft will go back to DHS for finalization and final edits.

## 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 how the guidelines are going and if any additions or changes need to be made.
- B. Next meeting will be Tuesday, September 15, 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 24, 2020, and have been redacted and summarized for confidentiality purposes:
- A member of the public shared that the CDC has updated their traveler quarantine guidelines and feel that we (state) should be doing the same. That loved ones in assisted living/care homes/facilities need the interaction and care from family members and that people can commit to staying safe, healthy, and connected. "I believe facilities can support this if they understand families can and are willing to follow the same standards employees are." - *Cindy Frazier*
  - A member of the public would like to, "request that aside from basing the indoor visitation criteria on COVID cases, that the criteria be equally based on the number of critically declining long term residents that are not eating, losing weight, and the ability to talk from lack of family being present to provide that emotional hands-on support that no staff caregiver can replicate." - *Anne M*
  - A member of the public has expressed how difficult it has been on her and her father due to not being able to visit his assisted living home. She has seen a decline in his mental and physical health because of the separation. She is extremely appreciative of the actions of the state and its partners on keeping assisted living communities safe and clean and look forward to opening guidelines. "I anxiously await the guidelines, policies, and procedures from this LTC facility task force so that my father's facility will allow safe visitation." - *Vonda Lattin*
  - A member of the public shared with the LTC task force how difficult it has been for her and her siblings to not be able to visit their father in his assisted living facility. She explained that he used to have a visitor almost every day, however without visitation due to COVID, his physical and mental health is declining. She is looking forward to quick action to implement in-person visitation. - *Racquel Jones*
  - A member of the public has expressed how difficult it has been for her mother and father to not be able to see each other during COVID. She explained that they have been married for 68 years and this is the first time that they are being forced to be separated and it has been extremely painful for both of them. "Thank you for everyone on this task force that sees the immediate need to allow family visitation rights again." - *Anne Belding*
  - A member of the public feels strongly that residents in independent and/or assisted living do not fall in the same classification as a nursing or long-term care facility. She explains how important it is to have family members be able to visit to assist in the care and well being of their loved ones. "If you can go to a bar or a gym, you should be able to go directly from the entrance of the facility to an apartment to be with a loved one who needs care." - *Margaret Jenner*
  - A member of the public is looking for a solution to the ban on visitors to long-term care facilities. Her sister has been in such a facility for years; she is in a coma. However, her 90-year mother is distressed about not being able to see her. She can't talk to her on the phone or any other way, the only thing she had was to visit her. It's been months since she was able to do so. - *Dawn Pfistor*
  - A member of the public expressed concern that this task force should have occurred in March of this year. They would also like to see other questions addressed such as testing, adequate PPE, education, and quarantine procedures. - *Nancy Miller*

- “I am writing to convey my thoughts on the need for long term care patients Tito receive visitors. Adjustments can surely be made by each facility to allow more human touch and compassion. I think when we look back at this time we will see how wrong this isolation is. I’m sure the facilities do not prefer extra hands, eyes, and ears on what goes on. It’s a team effort!” - *Margaret*
- A member of the public, whose son was in ICU and now resides in long term care, has not received the care that he needs due to families not being able to assist. She has seen her son decline substantially because of it. “I have had to call nursing on the phone to get their attention, he wasn’t given a call button to use and he is non-verbal, non-ambulatory...set up processes, limit the number of visitors, screen, masks - it can be done, it is being done everywhere else.” - *Cindy Quenneville*
- “I understand the importance of keeping the residents safe but at this point it is a combination of risk management and laziness on the part of the facilities that we are not allowed to visit. I have not been able to visit my father in a normal way since March. The isolation and loneliness are killing him day by day. Mandating safe ways for the family to visit their loved ones is long overdue. These facilities are never going to willingly let family members again. It is my belief that they prefer the current no visitation policy. I strongly believe the facility where my father is will never allow visitation again unless they are mandated. If a facility will not allow visitation, please require them to submit in writing why specifically they will not allow visitation. I feel like they should have to prove why they’re unable to allow it.” - *Ursulla Hodge*
- “If there is a Long Term Care Facility with a recent outbreak, but the County is in yellow would visitation by family members still be allowed or would the visitation by testing still be allowed for this example?” - *Danielle Alonzo*
- A member of the public feels that the 48-hour negative testing requirement is unrealistic with no science to back it up. That “...no testing is required to go to the gym, restaurant, grocery store, work, child-care but here we should test negative every 48 hours. Please reconsider this requirement.” - *Cindy Quenneville*
- A member of the public feels that the state needs to provide more personal protective equipment (PPE) in the assisted living facilities/homes for adequate protection for staff, families, and residents. - *Nicholas Vasquez*
- “Please make visitation rights easier than what is currently proposed. I can understand having to be tested, but once every couple of weeks should be sufficient. Social distance, wear masks, limit to one visitor per day and get tested every two weeks. I believe that should be more than adequate. We want our loved ones to be safe of course, but we don’t want them to be prisoners with no visitation from family. What is currently proposed makes it so difficult to see them.” - *Gary Quenneville*
- A member of the public expressed how grateful she was for this task force to be created since she has many people in her life who know or have been in a healthcare facility of somesort. She is extremely disappointed in the drafted guidelines and how many requirements are now put on families to see their loved ones. “I understand the need to protect those in a healthcare facility, why aren’t staff of these healthcare facilities having to go through the same process? They are more apt to bring in the virus. I am asking you to reconsider the absurd requirements and really get down to work and make this about the patient and family.” - *Lynn McDonald*

- As a mother to a daughter with disabilities and as a healthcare worker, a member of the public has expressed how important it is to have guidelines finalized as soon as possible with the greatest amount of urgency. - *Daisy Dwyer*
- “Social and community context is a proven determinant of health (<https://www.cdc.gov/socialdeterminants/about.html>) and must be regarded as essential to healing. Now that we know more about the virus, the following conditions are reasonable and can directly influence an individual's health or path to healing. It must be acknowledged that under such conditions a small number of visitors pose no greater threat than that of staff and prohibiting integral social connections presents an obstruction to health and healing.
  - As such, please consider: 1) allowing a minimum of weekly access for limited visitors; minimum 1 designated non-professional caregiver visitor per resident/patient (preferably 2) screening of visitors prior to entry; 3) hand washing/sanitizing, mask, and gown requirement for visitor(s) - similar or equal to what is required of staff 4) episodic prioritized testing for visitors who are not isolating between visits (e.g. rapid testing every two weeks)”
 - *Christina Panaitescu*

**VIII. Adjourn**

- A. Christina Corieri, Chair**, called for adjournment at 2:38 p.m.
- B. Ms. Karen Barno, President and CEO, Arizona Assisted Living Federation of America**, motioned to adjourn, and **The Honorable Regina Cobb, Arizona State Representative**, seconded the motion, and the task force voted unanimously to adjourn.

Dated August 25, 2020  
 Task Force on Long Term Care  
 Submitted by Tuesday Elias  
 Policy Assistant, Office of Governor Doug Ducey