

"Safer at Home" Decision Creates Confusion for Nursing Home, Assisted Living Facilities

<https://www.youtube.com/watch?v=IX7aURmDQFO>

When Wisconsin Gov. Tony Evers' March 12, 2020, Executive Order 72 declaring a public health emergency, expired on May 11, so too did Wisconsin Department of Health Services (DHS) Emergency Order 21, which gave providers useful tools for battling COVID-19 in the form of numerous statutory and rule suspensions. Today, without further guidance from the DHS, nursing homes and assisted living facilities are suddenly left hanging.

DHS Order 21 allowed facilities, among other provisions, to hire minors, forego fire drills and provided several helpful modifications to the state's Nurse Aide Training Program. Just this week, at least one provider received a DHS letter stating that DHS could no longer accept or approve new Emergency Aide Training Programs or students until new emergency rules were promulgated.

LeadingAge Wisconsin and Wisconsin Health Care Association on May 15, 2020, sent DHS Secretary-designee Andrea Palm and Evers a letter asking for an "immediate fix" as long-term care providers must have adequate staffing to deal with the COVID-19 pandemic to care for their vulnerable residents.

Nursing home and assisted living facilities are looking forward to additional DHS guidance on visitation in light of the state Supreme Court's decision invalidating Secretary-Designee Palm's "Safer at Home" Order.

Finally, DHS rolled out guidance on voluntary nursing home staff and resident testing during its weekly nursing home webinar.

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