



# Department of Health

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**DATE:** May 3, 2021  
**TO:** Adult Care Facility Operators and Administrators  
**FROM:** New York State Department of Health (NYSDOH)

## Health Advisory: Reopening Guidance for Adult Care Facility Day Programs for Non-Residents

Please distribute immediately to: Administrators, Program Directors

Adult care facilities (ACFs) provide a variety of services including those delivered to individuals who are not residents of the ACF. Based on advances made in the fight against the SARS-CoV-2 virus that causes COVID-19, the Department of Health provides the following reopening guidance for ACFs with day programs for non-residents previously approved under Title 18 of New York Code of Rules and Regulations Parts 485.2 and 492.

Previously approved ACF day programs for non-residents that are considering reopening are expected to follow strict standards for infection control for staff and participants. To maintain infection control standards and practices, the Department of Health (“Department”) will use a phased approach to reopening. The phased reopening approach will provide the necessary time for such programs to train staff, obtain applicable authorizations from insurances or community physicians, and communicate to participants and families, vendors, and transportation providers. The phases of reopening are as follows:

**Phase #1:** Beginning May 4, 2021, day programs for non-residents previously approved by the Department may submit a reopening plan that addresses the three key areas of operation detailed herein.

**Phase #2:** Beginning May 17, 2021, day programs for non-residents previously approved by the Department with an accepted reopening plan **and** where the sponsoring adult care facility meets the eligibility criteria for in-person visitation, may open.

As indicated above, prior to reopening, each day program for non-residents must submit a NY Forward Safety Plan to [covidadultcareinfo@health.ny.gov](mailto:covidadultcareinfo@health.ny.gov) that specifically addresses these three key areas of operation:

### 1. Physical Distancing

Each Reopening Safety Plan submitted by a day program for non-residents previously approved by the Department of Health must contain policies and procedures that ensure that:

- All activities adhere to social distancing requirements unless otherwise required for safety or core function activity;
- All tables and chairs can be arranged to allow for seating at six feet apart for meals and group activities;
- Participants do not engage in communal dining or activities with adult care facility residents until further notice;

- Participants remain socially distanced and wear a face mask or facecovering as medically tolerated; and
- No visitors to the day program are permitted until further notice.

## **2. Infection control, including screening of participants, staff, and visitors**

Providers of day programs for non-residents providers will follow program-specific infection control policies and follow Executive Orders and Department of Health (“Department”) guidance on staff testing, participant screening, and visitor policies until further notice. In addition, to open, each such program must ensure:

- a. Adequate supply of appropriate personal protective equipment (PPE) for staff and participants is onsite.
- b. The day program follows Department and Centers for Disease Control (CDC) guidance on cleaning and disinfection of all hard surfaces.
- c. All participants except those who have recently recovered as detailed below must provide proof of a negative baseline COVID-19 test performed no more than three (3) days prior to attending the participant’s first session. Acceptable testing may include rapid testing if available, and results of such testing must be maintained on file with the day program and made available to the Department upon request.
  - i. All participants who had a positive COVID-19 diagnostic test within the three (3) months before the first session must have met either the criteria for discontinuation of home isolation or discontinuation of transmission-based precautions, as appropriate and based on those criteria in force at the time.
  - ii. All participants who can successfully demonstrate full vaccination status, consistent with [CDC definition](#), are not required to undergo or provide proof of such testing, but must provide proof of vaccination status, which shall be maintained onsite at the day program and be made available to the Department upon request.
  - iii. Participants who have fully recovered from COVID-19 within the previous three (3) months should not be required to test prior to attending the day program and, if exposed to COVID-19 but asymptomatic, do not need to quarantine, consistent with current Department and CDC guidance on quarantine requirements.
- d. Prior to the initiation of program services, each willing day program participant medically eligible for the COVID-19 vaccine must be assisted in obtaining such vaccination. A record of program participants’ vaccination status, including declination if appropriate, must be maintained onsite at the program site and be made available to the Department upon request.
- e. Each participant and staff member must be screened upon arrival to the program in an area separate from the program space in accordance with Department and CDC guidelines.
- f. Staff must follow Department guidance regarding proper use of PPE when caring for participants and follow the core principles of infection control and prevention, including, but not limited to:
  - i. Screening of all who enter for signs and symptoms of COVID-19 (e.g., temperature checks, questions about and observations of signs or symptoms), and denial of entry of those with signs or symptoms or those who have had close contact with someone with COVID-19 infection in the prior fourteen (14) days regardless of the individual’s vaccination status.
  - ii. Hand hygiene (use of alcohol-based hand rub is preferred).
  - iii. The use of face coverings or masks (covering mouth and nose).

- iv. Social distancing of at least six feet between persons.
  - v. Instructional signage throughout the adult care facility and proper visitor education on COVID-19 signs and symptoms, infection control precautions, other applicable facility practices (e.g., use of face covering or mask, specified entries, exits and routes to designated areas, hand hygiene).
  - vi. Cleaning and disinfecting high frequency touched surfaces and designated visitation areas in the facility often, and after each visit.
  - vii. Appropriate staff use of PPE.
  - viii. Effective cohorting of residents (e.g., separate areas dedicated to COVID-19 care).
- g. Upon return to program, all participants are screened for and determined to be free from communicable disease.
  - h. All staff wear a mask during program operating hours.
  - i. The day program must have dedicated staff to conduct the program activities and limit use of staff from the adult care facility (ACF) to the maximum extent reasonably practical, and never should staff who have cared for COVID-19 positive ACF residents within the preceding fourteen (14) days be utilized in any capacity for the day program.
  - j. Adequate disinfection of program space occurs in between all sessions.
  - k. Program participants and their families and/or representatives as applicable, are informed regarding the ACF's established infection control policies and procedures.
  - l. All day program staff are trained on the ACF's infection control policies and procedures.
  - m. All of the ACF's infection control related citations, including citations related to reporting, are resolved via an accepted plan of correction prior to reopening. Any infection control related endangerment citation will require the day program to pause operation until the endangerment is successfully abated.
  - n. The day program follows Department reporting requirements for staff and/or participants who test positive, including the program pausing operation until contact tracing led by the local health department (LHD) is completed and the LHD, in consultation with the Department as appropriate, determines that the program may resume.
  - o. The day program must designate a space separate from the screening area to serve as a "holding area" for staff or participants who present with COVID-19 symptoms while those individuals await transportation from the program.
  - p. Policies are in place to communicate with families regarding any confirmed positive COVID-19 case, including cases for staff and residents.
  - q. Day program staff follow the applicable Department-issued "return to work" guidance related to confirmed or suspected COVID-19 diagnosis or exposure.

### **3. Transportation**

- a. Any instances of multi-loading or group rides shall not exceed fifty (50) percent of the vehicle manufacturer's recommended seating capacity. Drivers must be included in capacity calculations.
- b. Require that all individuals, including staff and the driver, wear face coverings at all times in the vehicle. Social distancing must be maintained for individuals who cannot tolerate wearing a mask and, when possible, such individuals should be transported

alone or with members of the same household. Staff who cannot medically tolerate the use of a face covering should not be assigned to transport individuals at this time.

- c. After each trip is completed and before additional individuals are transported, the interior of the vehicle should be thoroughly cleaned in alignment with applicable recommendations of the [Centers for Disease Control and Prevention](#).
- d. Where appropriate and safe, windows should be rolled down to permit air flow and/or the air ventilation/air conditioning should be set to non-recirculation mode.

Department of Health staff stand ready to review the day program's Reopening Safety Plan and will acknowledge acceptance via email once all criteria above are met.

Information for related to COVID-19 for long term care facilities is available on the Department of Health public website at <https://coronavirus.health.ny.gov/protecting-public-health-all-new-yorkers#long-term-care-facilities>. This guidance will be periodically re-evaluated and revisions made as appropriate.

Thank you for your ongoing support and cooperation in responding to COVID-19 concerns. Questions may be routed to [covidadultcareinfo@health.ny.gov](mailto:covidadultcareinfo@health.ny.gov).