

Temporary Waivers for Long-Term Care Facilities During COVID-19 Crisis

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The Centers for Medicare and Medicaid Services (CMS) has issued numerous temporary waivers for long-term care facilities during the COVID-19 crisis:

- Facilities may use buildings for skilled nursing that are not certified if isolation of COVID-19 patients is necessary, subject to state approval.
- Facilities may relocate residents within the facility, or transfer a resident to another facility if necessary to isolate residents with the COVID-19 virus.
- The three-day prior hospitalization requirement for coverage of a skilled nursing facility stay is waived.
- CMS is allowing facilities to suspend new resident assessments, and to extend the timeframes of minimum data assessments.
- Facilities may delay training of nursing staff, provided that they can demonstrate the competency of their staff.
- Facilities are permitted to restrict in-person resident groups and meetings while social-distancing rules are in effect.
- CMS is waiving the requirement that physicians and practitioners must see residents in-person, and is permitting telehealth visits.

In separate guidance, CMS is allowing facilities to restrict visitation. That would include all regular visitors and non-essential personnel, except for certain compassionate care situations, such as an end-of-life situation.

The goals of these relaxed standards are to keep residents out of the hospital to ensure that hospitals can handle the potential surge of COVID-19 patients; to remove barriers for physicians, nurses and other clinicians to treat residents in a skilled nursing setting; and to alleviate the administrative burden on facilities during the health crisis to allow them to focus primarily on protecting their residents from the spread of COVID-19.

If you have any questions on this new guidance or any questions about the impact of COVID-19 on your senior living facility, please [contact me](#) or any member of the [Barley Snyder Senior Living Industry Group](#).

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