

Nursing Home and Assisted Living Oversight Working Group
Socialization, Visitation and Caregiver Engagement Subcommittee

Meeting Summary

Monday, December 7, 2020 10:00 AM via Zoom

The meeting was convened by Senator Cathy Osten, Subcommittee Co-Chair

1. Opening Remarks

- Senator Osten expressed her appreciation to those in attendance. She reminded members of the discussion during the full NHALOWG meeting regarding subcommittees "staying in their own lane". She stated that the subcommittee would concentrate on developing policy recommendations regarding socialization and visitation.
- Mairead Painter, Subcommittee Co-Chair, expressed her appreciation to subcommittee members that had submitted policy suggestions.

2. Review of Policy Suggestions

- Residents should have a voice in socialization and visitation issues:
 - Subcommittee members discussed the importance of resident input in policies regarding socialization and visitation. Ms. Painter and Sandra Arburr spoke of using and supporting Resident Councils to a greater extent. Senator Miner spoke of the need to balance visitation issues with the health risks associated with visits, both for residents and staff.
- Identifying Socialization and Visitation as basic needs:
 - Representative Hughes remarked that socialization and visitation should be equated to nutrition and medical care, given the adverse physical, social and emotion toll experienced by residents. Ms. Painter concurred that socialization and emotional support should be viewed as primary needs equal to medical needs. Mag Morelli commented that certain points may have to be facilitated through technology or other means in the case of a public health emergency.

- Elizabeth Stern discussed the Residents Bill of Rights and how the issues being considered by the subcommittee are already contained in the Bill of Rights. She asked what makes these deliberations and recommendations different. Ms. Painter replied that it is important to elevate these issues so that elected officials and the community at large have a better understanding of the issues and perhaps could take a different approach should the state face another situation like COVID-19.
 - Matt Barrett remarked that the pandemic has put a sharp focus on the consequences of the restrictions. He added that it is important to get right the balance between the need for physical distancing and visitor restrictions and providing socialization and visitation opportunities.
 - In response to Ms. Stern's concern regarding what makes these deliberations different, Sen. Miner remarked is that there is the potential for the legislature to insert itself in the decision making process and to come to agreements with the Governor on policies going forward.
- Develop an Essential Caregiver Program:
 - Ms. Painter discussed the need for establishing an essential caregiver program. She shared that the CMS guidance refers to "central caregivers" who must follow the same rules as a visitor. She stressed the need for the state to request guidance from the Centers for Medicare and Medicaid (CMS) when establishing an Essential Caregiver Program, as she does not want to see the state issuing two sets of guidance that are not easily applied during challenging situations.
 - Representative Hughes stated that essential caregivers should have to follow the same standards for protocols and behaviors as staff, such as the use of PPE and testing.
 - Ms. Stern asked for clarification regarding CMS and whether the agency can dictate policies or if the guidelines are suggestions. Ms. Morelli responded that CMS issued rules on September 17 that had to be followed. Ms. Painter added that CMS has the "teeth" regarding nursing home licensure.
 - Representative McCarty, Ms. Stern and Ms. Painter shared their thoughts regarding making the distinction between a central caregiver and other visitors to facilities. Ms. Stern emphasized that essential caregivers are distinct from visitors. Rep. McCarty requested information regarding the number of family members who currently serve as essential caregivers.

- Sandra Arburr discussed compassionate care visits and the increased need for such visits during the pandemic.
- Sean Nugent commented that there is no clear cut definition regarding utilization of essential caregivers.
- Ms. Painter remarked that compassionate care visits should not be determined by a doctor; rather, the decision should be a collaborative process.
- Ms. Morelli shared that the facilities continuously try to provide clarification regarding compassionate care visits and standardization among facilities.
- Representative Hughes spoke to the need to communicate policies and guidelines to the public, as well as facilities. She also remarked on the cultural shift from the medical model with the physician at the top to the person-centered model, although she believes that the shift has not gone far enough. Further, she shared that it is the task of legislators as policymakers to shift communication to the people at the center of these issues, namely the residents.
- Family voices in the development of socialization and visitation policies:
 - Senator Osten recommended adding family input to the list of recommendations. Ms. Painter concurred.
 - Ms. Painter discussed the opportunities to use technology to allow for the exchange of information virtually with family members, as well as residents.
 - Senator Osten spoke of the need to support the person at home, as well as the person in the nursing home. She commented on the disruption COVID-19 has had on relationships between nursing home residents and their spouses and the stress being experienced by spouses who can no longer visit and care for their loved one.

3. Other Business

- Senator Osten requested that Ms. Morelli and Mr. Barrett provide information regarding:
 - what aspects of visitation policies have worked
 - the use of technology to allow residents to communicate with family members

Ms. Arburr offered that she could provide speakers to address the visitation policies. In addition, she stated that she could ask one of the long term care centers with which she works to track visitations.

- Mr. Nugent remarked that, given the continuum of the nursing home population, it would helpful for members to understand the spectrum of effective communication technology.
- Representative Hughes concurred with Mr. Nugent's remarks. She added that regardless of the technology, it will require staff to facilitate its use. She expressed her concern regarding the availability of staff to support residents in this regard.
- Ms. Painter echoed the sentiments expressed regarding the need for policies to be person-centered. She stressed the importance of looking at each resident's care plan and how it addressed their social and emotion needs.
- Senator Osten asked Ms. Morelli, Mr. Barrett and Ms. Arburr to provide written examples of visitation plans. She stated that she would also like to learn how many facilities have memory care as their main component.
- Mr. Nugent asked that when the visitation data is compiled it include outdoor visitation.

Having no further business, Senator Osten adjourned the meeting.