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GOVERNOR OF OHIO

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SENT VIA EMAIL

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Dear Administrator,

I write to you today to remind you of all the available resources to facilitate visitation in nursing homes, including CMS data and compassionate care visits.

In September 2020, the federal government, through the Centers for Medicare and Medicaid Services (CMS), set limits for nursing home visitation. These limits are, as you know, determined by a number of factors, including the COVID-19 positivity rate in your county ([See September 17, 2020, CMS Memorandum](#)). The good news is that positivity is dropping each week across Ohio. Each week, the positivity rate is updated. **Ohio has created a simplified listing that only contains Ohio counties so you do not need to sort through the entire country. Please check your color code each week so that your visitation rules are kept up-to-date ([CMS Ohio County Positivity Rates](#)).**

No matter what color code your nursing home is, compassionate care visitation for specific residents should **always** be available. Even if facilities are restricting visits due to COVID-19 outbreaks or widespread community spread, compassionate care visits are still possible.

The purpose of compassionate visitation is to intervene when a resident's health -- mental or physical -- appears to be declining. These are special visits in which a family member or other visitor provides comfort, support, and assistance to a resident whose well-being is suffering or at risk. CMS gives these illustrative examples of when this type of visitation should be allowed:

- A resident who was living with their family before recently being admitted to a home and is struggling with the change in environment and lack of physical family support;
- A resident who is grieving after a friend or family member recently died;
- A resident who needs cueing and encouragement with eating or drinking, previously provided by family or caregiver(s), or is experiencing weight loss or dehydration; and/or
- A resident, who used to talk and interact with others, is experiencing emotional distress, seldom speaking, or crying more frequently (when the resident rarely cried in the past).

Please remember -- these are only examples to give you an idea of when compassionate visitation should be allowed, and visitation should not be limited to just these examples. Here are a few other examples of when this visitation should be allowed:

- A resident has been re-admitted to the facility following an acute care admission to the hospital;
- A resident has a new order for an anti-psychotic, an anti-depressant, or an appetite stimulant;
- A resident's dementia has dramatically progressed;

- Family members mention that they notice a change in the resident's appearance, grooming, or cognition during window or virtual visits; and/or
- A resident is no longer responding to loved ones during virtual visits.

Also, please continue to encourage your residents and staff to be vaccinated. Reaching a higher percentage of your staff and residents who are vaccinated will add more protection to your nursing home. Through our Vaccination Maintenance Program, we are committed to supplying you -- through the duration of this epidemic -- with enough vaccine to continue to vaccinate your new residents, new staff, and any staff or residents who have changed their mind and want to be vaccinated.

In summary:

1. Please continue to carefully monitor your positivity color status each week;
2. Remember -- no matter what the positivity color code is for your county -- **compassionate care visitation** should be allowed for individual residents if that resident is not thriving and that decline can be attributed to a lack of visitation; and
3. Please continue to aggressively vaccinate new residents and new staff and residents or staff who have now decided they want to be vaccinated and were not in previous clinics. Finally, to encourage acceptance of vaccination, continue your education program for residents and staff. Both our Ohio Department of Aging and Ohio Department of Health would be happy to assist in providing educational materials if needed.

Thank you for all you do to keep your residents healthy and safe.

Very respectfully yours,



Mike DeWine
Governor