

**Agency for Health Care Administration
Re-Opening of Long-Term Care Facilities
Emergency Order 21-001 Questions & Answers**

On March 22, 2021, at the direction of Governor Ron DeSantis, Florida Division of Emergency Management Director Jared Moskowitz issued Emergency Order 21-001 rescinding state visitation restrictions for long-term care facilities.

1. Effective Date - When does the Emergency Order (Order) take effect?

Answer: The Order was effective on March 22, 2021. Facilities are expected to move quickly to have all appropriate measures in place to enable visitors to enter the facility. No additional rules or regulations are needed from the state to proceed.

2. Affected Facilities: Which facilities are subject to the Order?

Answer: The Emergency Order addresses visitors in the following types of facilities under each of the following agencies below:

Agency for Persons with Disabilities:

Group Home Facilities
APD-licensed Foster-Care Facilities
Developmental Disability Centers

Department of Children and Families:

Adult Forensic Mental Health Treatment Facilities
Civil Mental Health Treatment Facilities

Agency for Health Care Administration:

Nursing Homes
Homes for Special Services
Transitional Living Facilities
Intermediate Care Facilities for the Developmentally Disabled
Assisted Living Facilities including those offering Memory Care programs
Adult Family Care Homes
Adult Mental Health and Treatment Facilities

3. Residents Leaving the Facility: Can a resident leave the facility for a visit with family and are there restrictions on the length of absence?

Answer: Residents must be permitted to leave the facility if they wish with no restrictions on the length of absence. Upon return, a resident's rights must be honored.

The remaining questions (#4.-#17.) apply to the affected facilities listed in #2., with the exception of:

Nursing home requirements: Nursing homes are required to follow the revised federal Centers for Medicare and Medicaid Services (CMS) visitation guidelines and core principles of infection prevention as outlined in [CMS Memo QSO-20-39-NH](#). These guidelines govern nursing homes and represent a complete set of requirements.

Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs)

requirements: ICF/IIDs are required to follow federal CMS visitation guidelines outlined in [CMS Memo QSO-21-14-ICF/IID & PRTE](#). These federal guidelines govern ICF/IIDs and represent a complete set of requirements.

4. Vaccination: Must a resident be vaccinated to have visitors at a long-term care facility?

Answer: Neither residents or visitors are required to be vaccinated to have visitors. However, vaccines should be encouraged, but neither residents nor visitors are required to be vaccinated to allow visitors entry. Every long-term care facility is expected to share vaccination information with every staff, resident, and resident families as appropriate to enable independent choice.

5. Visitor Screening and Testing: May a long-term care facility screen or test visitors to enter the facility?

Answer: Facilities should monitor CDC guidance regarding visitor screening (i.e., temperature checks and COVID-19 signs, symptoms, and exposure screening questions). Long-term care facilities cannot require testing but may utilize testing resources to perform COVID-19 testing for visitors. If the facility conducts testing, it must be based on current CDC and FDA guidance and results must be reported to the Department of Health, as required. Facilities may also encourage visitors to be tested on their own prior to coming to the facility (e.g., within 2–3 days).

6. Testing Cost: May facilities require visitors pay for testing?

Answer: If a facility provides testing of visitors prior to entry, the facility cannot pass the cost of testing on to the visitor.

7. Resident contact: Can visitors have physical contact with a resident, such as a hug?

Answer: Yes. There is no prohibition regarding physical contact with the resident during visitation. Best practices regarding who should wear protective protection equipment during visits should monitor CCD guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-after-vaccination.html#Visitation>.

8. Visit Location: Can multiple visitations occur at the same time in a large, common area if each group maintains minimum distance from others? Can visitation occur in a resident's room?

Answer: Visitation in a large common area is acceptable as long as residents may have private communications with their visitors, and infection control precautions are followed, including properly wearing well-fitting face masks. While in-room visits for residents who occupy a private room are acceptable, visits for residents who share a room should ideally not be conducted in the resident's room. If neither resident is able to leave the room, facilities should enable in-room visitation while maintaining recommended infection prevention and control practices, including physical distancing and the use of well-fitting face masks. Facilities should monitor CDC guidance on managing visitors.

Note: In-room visits would not apply to facilities designated as state mental health treatment facilities pursuant to Chapter 916, or 394.

9. In-Room Visitation: If in-room visitation cannot take place, can a visitor be allowed in the resident's room, with the resident's permission, in order to observe the state of the resident's room if desired?

Answer: Yes, the visitor should be allowed into the room while maintaining recommended infection prevention and control practices.

Note: In-room visits would not apply to facilities designated as state mental health treatment facilities pursuant to Chapter 916, or 394.

10. Visit Duration: How often can visitation occur?

Answer: There is no restriction on the number or length of visits although facilities may choose to reasonably limit the number of visitors per resident at one time as well as the total number of visitors in the facility at one time in order to maintain infection control precautions.

11. Visitation Hours: Can communities determine their specific visitation hours, for example, from 9 to 6 p.m. instead of 9 to 9 p.m.?

Answer: Every resident must have the right to visit with any person of his or her choice (who meets the screening criteria). Reasonable visitation hours must be established, including evenings and weekends consistent with licensing requirements. Upon request, the facility must make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.

Note: Facilities designated as state mental health treatment facilities pursuant to Chapter 916, or 394 must follow appropriate regulations.

12. Children Visiting: Is a facility required to allow children to visit?

Answer: Children may visit long-term care facilities and a facility may not prohibit children as a rule. The facility should have reasonable policies for visitation and a plan to manage visitation and visitor flow. Young children should be accompanied by an adult to ensure adherence with infection control protections.

13. Sponsored Services: May a facility allow a person to enter to host church services or entertainment for residents?

Answer: Yes, sponsored services are permitted. Providers should monitor CDC guidance for appropriate screening and wear PPE, and practice social distancing of residents.

14. Barber and Salon Services: Can a facility now offer barber and salon services?

Answer: Yes. Providers should monitor CDC guidance for appropriate screening and wear PPE, and practice social distancing of residents. More than one resident may receive services at the same time.

15. Tours for Prospective Residents: May a facility allow tours by prospective residents and their families?

Answer: Yes, facilities may make arrangements for a tour.