



NEW YORK STATE SENATOR

Susan Serino

## SERINO TO STATE: NEW NURSING HOME VISITATION RULES SEND MIXED MESSAGES, CONTINUE TO HURT RESIDENTS

SUSAN SERINO September 17, 2020



HYDE PARK, NY – Senator Sue Serino today is calling on the Governor and the NYS Health Commissioner to stop making arbitrary decisions when it comes to nursing home policies and start listening to the residents, healthcare experts and loved ones who are being consistently hurt by the state’s failed policies.

*“It’s been less than 24 hours since the new guidance was released, and based on the countless calls and emails I have already received from loved ones and facility staff, it is clear that these new rules are far more prohibitive than the original guidance already was,” said Senator Serino. “I am hearing from loved*

*ones who cannot find a testing site that will take them without COVID-19 symptoms, many who are being told there is no chance they will receive their results in seven days and even more who are wondering why they are being forced to cover the costs. Once again, instead of basing its policy on science and feasibility, the state is setting arbitrary policy in a lame attempt to appease angry New Yorkers instead of doing the real work necessary to effectively protect these residents and support loved ones and caregivers.”*

Yesterday, the NYS Department of Health altered the guidance relating to visitation in New York’s nursing homes allowing limited visitation to resume for facilities that have been without COVID-19 for at least 14 days. That is down from the previous rule of 28 days that was making it virtually impossible for most facilities in the state to accommodate. The new rule is expected to open limited visitation to about 500 of the state’s over 600 facilities, something that was requested time and again by loved ones and facility staff who testified at recent hearings about the negative and severe physical and mental health impacts the lack of visitation was having on residents.

While this was welcome news for many, in implementing the new guidance, the state also added a new layer of rules, prohibiting those under 18 from visiting and requiring visitors to have a negative COVID-19 test result within 7 days of their visit even if the visit is to be safely distanced outdoors. The testing requirement is particularly onerous for loved ones as result times across the state vary significantly, with many New Yorkers currently waiting as many as 10 days to receive their test results.

Serino, the Ranking Member of the Senate’s Aging Committee, points out that these new arbitrary rules are hurting many facilities and loved ones, especially those who had already been safely allowing limited outdoor visits—some of whom were forced to cancel upcoming visits to comply with these new rules.

Serino is urging the state to immediately set up rapid test sites near nursing homes across New York, provide priority results for nursing home visitors to ensure that they receive results in time to see their loved ones, cover the costs of the mandated testing and provide

facilities with any resources they may need to safely and effectively adhere to the new guidance.

*“The irony is not lost on anyone that the same state that made the decision to force nursing homes to admit COVID-19 positive patients is now doing everything in its power to keep loved ones out,” **Serino continued.** “The state has put residents, families, and facility staff through enough stress and heartache. Now, they are giving the impression that they are working to reconnect loved ones while actually making it nearly impossible to do so. It’s a slap in the face to residents and their loved ones and the state needs to step up and immediately dedicate the resources necessary to ensure loved ones can safely connect.”*