HEALTH/LDH: Directs the La. Department of Health to implement certain policies for the health and safety of long-term care facility residents

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health to implement certain policies to protect the health and safety of long-term care facility residents and to establish and administer a statewide long-term care emergency response task force.

WHEREAS, the ongoing global outbreak of respiratory disease caused by a novel coronavirus and named "coronavirus disease 2019", abbreviated as "COVID-19", has been recognized as a pandemic since March 11, 2020; and

WHEREAS, according to data supplied by the Louisiana Department of Health, the average age of victims of the COVID-19 pandemic in Louisiana is seventy-five; and

WHEREAS, as of the date of filing of this Resolution, Louisiana has registered nearly two thousand nine hundred officially reported deaths from COVID-19; and

WHEREAS, the COVID-19 pandemic has created additional challenges for people living with dementia, particularly those in long-term care settings, as well as their families and caregivers; and

WHEREAS, long-term care facility residents with Alzheimer's and other dementias are particularly susceptible to COVID-19 due to their typical age, their significantly increased likelihood of coexisting chronic conditions, and the congregate nature of these settings; and

WHEREAS, approximately ninety-two thousand people over the age of sixty-five in Louisiana are currently living with Alzheimer's; and
WHEREAS, nationwide, forty-eight percent of nursing home residents are living with dementia and forty-two percent of persons residing in residential care homes and other assisted living facilities have Alzheimer's or another dementia; and

WHEREAS, nursing homes and assisted living communities are on the front lines of the COVID-19 crisis; and

WHEREAS, across the country, these facilities, their staff, and their residents are experiencing a crisis due to a lack of transparency, an inability to access necessary testing, inaccurate reporting, and other factors; and

WHEREAS, one-third of Louisiana's COVID-19 deaths have occurred in long-term care facilities; and

WHEREAS, the Louisiana Department of Health licenses and regulates nursing facilities pursuant to the provisions of R.S. 40:2009.1 through 2011; and

WHEREAS, pursuant to the provisions of R.S. 40:2166.1 et seq., the Louisiana Department of Health also licenses and regulates adult residential care homes and providers, which are commonly known as assisted living facilities; and

WHEREAS, nursing facilities and adult residential care homes and providers are referred to collectively as long-term care facilities.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby direct the Louisiana Department of Health, referred to hereafter in this Resolution as the "department", to implement all of the following policies and mandates with respect to the long-term care facilities that it licenses and regulates:

(1) Each nursing home, adult residential care home, and adult residential care provider shall establish and implement a protocol to use testing to verify that all residents, staff, and visitors are free of COVID-19 infection, whether or not they are symptomatic. All such long-term care facilities shall report positive diagnoses of COVID-19 to the department within twenty-four hours, update previously reported cases at least weekly, and proactively notify family members and any designated persons of changes.

(2) The department shall maintain a web platform that contains COVID-19 data from all long-term care facilities which is searchable down to the facility level to make de-identified data available immediately upon reporting.
(3) The department shall establish a protocol for steps that each long-term care facility must take once a resident or staff member tests positive for COVID-19 and shall require that this protocol be implemented by the facility.

(4) The department shall establish an isolation protocol for long-term care facility residents who test positive for COVID-19 for the purpose of keeping uninfected persons from sharing rooms with persons who are infected with the disease.

(5) The department shall issue a care coordination protocol to guide long-term care facilities and hospitals, respectively, during the transition between care settings in instances when a long-term care facility resident must be moved from his residence to an acute care setting.

(6) The department shall disseminate essential dementia care standards to aid provisional staff in the delivery of person-centered dementia care.

(7) The department shall implement the use of personal information forms for each resident to allow all staff to quickly identify essential information about the person to help maintain a stable and comforting environment.

(8) The department shall require that long-term care facilities address social isolation and ensure that people with dementia are able to communicate with designated family and friends.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct the department to establish and administer a statewide long-term care emergency response task force composed of representatives of nursing homes, assisted living communities, patient advocacy organizations, and select department staff to coordinate with all key stakeholders and the office of the governor in order to identify pressing issues and implement solutions.

BE IT FURTHER RESOLVED that the task force established pursuant to this Resolution shall report findings and recommendations concerning protection of the health and safety of long-term care facility residents to the governor, each member of the Legislature of Louisiana, and the David R. Poynter Legislative Research Library prior to the convening of the 2021 Regular Session of the legislature.
BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor and the secretary of the Louisiana Department of Health.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Directs the La. Department of Health to implement certain policies to protect the health and safety of long-term care facility residents and to establish and administer a statewide long-term care emergency response task force. Directs the task force to report findings and recommendations concerning protection of the health and safety of long-term care facility residents to the governor and the legislature prior to the convening of the 2021 R.S.