A RESOLUTION

To direct the Louisiana Department of Health and the Department of Veterans Affairs to implement certain policies to protect the health and safety of long-term care facility residents.

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, the Department of Veterans Affairs operates and maintains nursing facilities for veterans pursuant to the provisions of R.S. 29:381 et seq.; 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 House of Representatives of the Legislature of Louisiana does hereby direct the Louisiana Department of Health and the Department of Veterans Affairs, each 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 licensed and regulated by each department, respectively:

(1) The department shall provide all nursing homes, adult residential care homes, and adult residential care providers that it regulates the ability to follow protocols of the Centers for Disease Control and Prevention (CDC), or other federal or state protocols, to use testing to verify that all residents and staff 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.

(3) The department shall provide CDC-recommended isolation protocols, including
but not limited to cohorting, 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 virus.

(4) 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.

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

(6) 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.

(7) The department shall establish a clear process for stakeholders and patient
advocacy organizations to communicate pressing issues and implement solutions.

BE IT FURTHER RESOLVED that these policies shall be implemented as long as
the department accepts state and federal funding to address the COVID-19 pandemic.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
governor, the secretary of the Department of Veterans Affairs, and the secretary of the
Louisiana Department of Health.
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)]

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Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add the Department of Veterans Affairs (LDVA) as an agency that is subject to the directives of the Resolution.

2. Delete requirements for the establishment and administration of a statewide long-term care emergency response task force.

3. Revise provisions requiring long-term care facilities to establish and implement a COVID-19 testing protocol to require instead that the La. Department of Health (LDH) and LDVA provide all long-term care facilities the ability to follow protocols of the Centers for Disease Control and Prevention (CDC), or other federal or state protocols, to use testing to verify that all facility residents and staff are free of COVID-19 infection.

4. Delete a requirement that a state-operated web platform containing COVID-19 data from long-term care facilities make de-identified data available immediately upon reporting.

5. Delete requirements that LDH 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 that this protocol be implemented by each such facility.

6. Revise a requirement relative to establishment of an isolation protocol to require instead that LDH and LDVA provide CDC-recommended isolation protocols, including but not limited to cohorting, for long-term care facility residents who test positive for COVID-19.

7. Delete a requirement that LDH implement the use of personal information forms for each long-term care facility resident to allow all staff to quickly identify essential information about the person to help maintain a stable and comforting environment.

8. Require that LDH and LDVA establish a clear process for stakeholders and patient advocacy organizations to communicate pressing issues and implement solutions.

9. Provide that the policies set forth in the Resolution shall be implemented as long as LDH and LDVA accept state and federal funding to address the COVID-19 pandemic.