

CMS Announces New Measures to Protect Nursing Home Residents from COVID-19

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As part of the broader Trump Administration announcement today, the Centers for Medicare & Medicaid Services (CMS) announced critical new measures designed to keep America's nursing home residents safe from the 2019 Novel Coronavirus (COVID-19). The measures take the form of a [memorandum](#) and is based on the [newest recommendations from the Centers for Disease Control and Prevention \(CDC\)](#). It directs nursing homes to significantly restrict visitors and nonessential personnel, as well as restrict communal activities inside nursing homes. The new measures are CMS's latest action to protect America's seniors, who are at highest risk for complications from COVID-19. While visitor restrictions may be difficult for residents and families, it is an important temporary measure for their protection.

"As we learn more about the Coronavirus from experts on the ground, we've learned that seniors with multiple conditions are at highest risk for infection and complications, so CMS is using every tool at our disposal to keep nursing homes free from infection," said CMS Administrator Seema Verma. "Temporarily restricting visitors and nonessential workers will help reduce the risk of Coronavirus spread in nursing homes, keeping residents safe. The Trump Administration is working around the clock to ensure the continued safety of America's health care system, particularly nursing homes."

The new measures CMS announced today, which supersede prior CMS guidance, constitute the agency's most aggressive and decisive recommendations with respect to nursing home safety in the face of the spread of COVID-19. They include:

- Restricting all visitors, effective immediately, with exceptions for compassionate care, such as end-of-life situations;
- Restricting all volunteers and nonessential health care personnel and other personnel (i.e. barbers);
- Cancelling all group activities and communal dining; and
- Implementing active screening of residents and health care personnel for fever and respiratory symptoms.

The guidance directs nursing homes to restrict visitation except in certain compassionate cases, like end-of-life. In those cases, visitors will be equipped with personal protective equipment (PPE) like masks, and the visit will be limited to a specific room only.

CMS's guidance is based upon CDC recommendations informed by real-time information being gathered from experts on the ground in areas with large numbers of COVID-19 cases, like Washington and California. According to CDC, seniors with multiple health conditions are at highest risk for complications. With large congregations of that particularly vulnerable population, nursing homes are extremely susceptible to quick spread of the virus. There have already been reports of large numbers of cases of COVID-19 spreading quickly through nursing homes, such as the Life Care Center in Kirkland, Washington. The spread of COVID-19 in a nursing home can amplify or seed further spread to other facilities when patients are transferred and when staff and visitors come and go. According to CDC, visitors and health care personnel who are ill are the most likely source of introduction of COVID-19 into nursing homes, necessitating today's change in guidance to restrict visitors and personnel.

CMS understands the vital importance of keeping nursing home residents connected with their loved ones. However, the rapid spread of COVID-19 and its transmission through visitors and health care workers – as well as nursing home residents' high risk – has made it necessary to restrict nonessential visitation in

order to protect the health and safety of residents. In lieu of visits, CMS encourages nursing homes to facilitate increased virtual communication between residents and families. CMS also encourages nursing homes to keep residents' loved ones informed about their care. This could include assigning a staff member as a primary contact for families to facilitate inbound communications, as well as regular outbound communications. Nursing homes are expected to notify potential visitors to defer visitation until further notice through signage and other outreach, such as emails and phone calls.

CDC has made several additional recommendations for nursing homes as they work to keep their residents safe. Nursing homes should put alcohol-based hand sanitizer with 60-95 percent alcohol in every resident room – both inside and outside the room if possible – and in every common area. Additionally, nursing homes should ensure sinks are well-stocked with soap and paper towels for hand washing. They should make tissues and facemasks available for people who are coughing, and make necessary PPE available in areas where resident care is provided. Finally, they should ensure hospital grade disinfectants are available to allow for frequent cleaning of high-touch surfaces and shared resident equipment. A full list of CDC guidance to nursing homes can be found [here](#).

This guidance, and earlier CMS actions in response to the COVID-19 virus, are part of the ongoing White House Task Force efforts. To keep up with the important work the Task Force is doing in response to COVID-19 click here www.coronavirus.gov. For information specific to CMS, please visit the [Current Emergencies Website](#).

Summary of CMS Public Health Action on COVID-19 to date:

March 13, 2020: CMS issued frequently asked Questions (FAQs) on Essential Health Benefits (EHB) Coverage in response to the 2019 Novel Coronavirus (COVID-19) outbreak. The FAQ detail existing federal rules governing health coverage provided through the individual and small group insurance markets that apply to the diagnosis and treatment of COVID-19.

<https://www.cms.gov/newsroom/press-releases/cms-publishes-faqs-ensure-individuals-issuers-and-states-have-clear-information-coverage-benefits>

March 12, 2020: CMS issued frequently asked questions (FAQs) to aid state Medicaid and Children's Health Insurance Program (CHIP) agencies in their response to the 2019 Novel Coronavirus (COVID-19) outbreak. CMS is taking this action in its continuing efforts to protect the health and safety of providers and patients, including those who are covered by Medicaid and CHIP.

<https://www.cms.gov/newsroom/press-releases/cms-publishes-first-set-covid-19-frequently-asked-questions-faqs-state-medicaid-and-childrens-health>

March 11, 2020: CMS issued frequently asked questions to aid state Medicaid and Children's Health Insurance Program (CHIP) agencies in their response to the 2019 Novel Coronavirus Disease (COVID-19).

<https://www.cms.gov/newsroom/press-releases/cms-publishes-first-set-covid-19-frequently-asked-questions-faqs-state-medicaid-and-childrens-health>

March 10, 2020: CMS issued guidance to home health agencies and dialysis facilities with actionable information for healthcare workers on screening, treatment and transfer procedures to follow when interacting with patients in response to the 2019 Novel Coronavirus Disease (COVID-19).

<https://www.cms.gov/newsroom/press-releases/cms-sends-more-detailed-guidance-providers-about-covid-19>

March 10, 2020: CMS issued a frequently asked questions to ensure State Survey Agencies and accrediting organizations charged with inspecting nursing homes and other health care facilities, understand that non-emergency survey inspections are suspended. This shift in survey prioritization enables State Inspectors to address the spread of the 2019 Novel Coronavirus Disease (COVID-19).

<https://www.cms.gov/newsroom/press-releases/covid-19-response-news-alert-cms-issues-frequently-asked-questions-guidance-state-survey-agencies>

March 10, 2020: CMS issued guidance on Medicare Advantage (MA) and Part D health and prescription drug plans informing them of the flexibilities they have to provide healthcare coverage for testing, treatments, and prevention of 2019 Novel Coronavirus Disease (COVID-19). Leading insurance companies and their industry associations announced they will be treating COVID-19 diagnostic tests

as covered benefits and will be waiving cost sharing that would otherwise apply to the test.

<https://www.cms.gov/newsroom/press-releases/cms-issues-guidance-help-medicare-advantage-and-part-d-plans-respond-covid-19>

March 10, 2020: CMS issued guidance on the range of facemasks that can be temporarily used based on recent changes to CDC and FDA facemask and respirator guidance in light of COVID-19 and supply demands. These are steps the White House Task Force is taking to ensure a maximum supply of facemasks and respirators are available that allow healthcare providers to safely treat patients without exposing themselves or others to COVID-19.

<https://www.cms.gov/newsroom/press-releases/covid-19-response-news-alert-cms-issues-key-protective-mask-guidance-healthcare-workers>

March 9, 2020: CMS delivered guidance on the screening, treatment and transfer procedures healthcare workers must follow when interacting with patients to prevent the spread of COVID-19 in a hospice setting. CMS also issued additional guidance specific to nursing homes to help control and prevent the spread of the virus.

<https://www.cms.gov/newsroom/press-releases/cms-issues-clear-actionable-guidance-providers-about-covid-19-virus>

March 9, 2020: CMS issued a press release highlighting the telehealth benefits in the agency's Medicare program for use by patients and providers. Expanded use of virtual care, such as virtual check-ins, are important tools for keeping beneficiaries healthy, while helping to contain the community spread of the COVID-19 virus.

<https://www.cms.gov/newsroom/press-releases/telehealth-benefits-medicare-are-lifeline-patients-during-coronavirus-outbreak>

March 9, 2020: CMS published guidance to hospitals with emergency departments (EDs) on patient screening, treatment and transfer requirements to prevent the spread of infectious disease and illness, including COVID-19. Medicare-participating hospitals are to follow both CDC guidance for

infection control and Emergency Medical Treatment and Labor Act (EMTALA) requirements.

<https://www.cms.gov/newsroom/press-releases/cms-issues-call-action-hospital-emergency-departments-screen-patients-coronavirus>

March 6, 2020: CMS issued frequently asked questions and answers (FAQs) for healthcare providers regarding Medicare payment for laboratory test and other services related to the 2019-Novel Coronavirus (COVID-19).

<https://www.cms.gov/newsroom/press-releases/covid-19-response-news-alert-cms-issues-frequently-asked-questions-assist-medicare-providers>

March 5, 2020: CMS issued a second Healthcare Common Procedure Coding System (HCPCS) code for certain COVID-19 laboratory tests, in addition to three fact sheets about coverage and benefits for medical services related to COVID-19 for CMS programs. <https://www.cms.gov/newsroom/press-releases/cms-develops-additional-code-coronavirus-lab-tests>

March 4, 2020: CMS issued a call to action to healthcare providers nationwide and offered important guidance to help State Survey Agencies and Accrediting Organizations prioritize their inspections of healthcare.

<https://www.cms.gov/newsroom/press-releases/cms-announces-actions-address-spread-coronavirus>

February 13, 2020: CMS issued a new HCPCS code for providers and laboratories to test patients for COVID-19. <https://www.cms.gov/newsroom/press-releases/public-health-news-alert-cms-develops-new-code-coronavirus-lab-test>

February 6, 2020: CMS gave CLIA-certified laboratories information about how they can test for SARS-CoV-2. <https://www.cms.gov/medicareprovider-enrollment-and-certificationsurveycertificationgeninfopolicy-and-memos-states-and/notification-surveyors-authorization-emergency-use-cdc-2019-novel-coronavirus-2019-ncov-real-time-rt>

February 6, 2020: CMS issued a memo to help the nation's healthcare facilities take critical steps to prepare for COVID-

19. <https://www.cms.gov/medicareprovider-enrollment-and-certificationsurveycertificationgeninfopolicy-and-memos-states->

[and/information-healthcare-facilities-concerning-2019-novel-coronavirus-illness-2019-ncov](#)

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