



Governor Implements State's Nursing Home Surge Plan

Governor Lamont has signed several Executive Orders and taken other actions intended to implement the State's Nursing Home Surge Plan ("NHSP") and to ensure adequate funding for COVID-19-related long-term care services. This includes the establishment of COVID Recovery Facilities and Alternate COVID Recovery Facilities dedicated to the care of residents diagnosed with COVID-19.

Executive Order 7Y, signed by the Governor on April 11, 2020, authorizes the following statutory modifications and directives related to the NHSP:

1. Suspends requirement that nursing homes reserve a bed for a hospitalized resident upon notification that such resident will be placed post-hospitalization into a COVID Recovery Facility or alternative facility due to COVID-19 infection;
2. Designates certain facilities as COVID Recovery Facilities, including Sharon Health Care Center in Sharon and Northbridge Healthcare Center in Bridgeport;
3. Defines a "COVID-19 Transfer" for patient transfers and includes such transfer within the definition of emergency;
4. Directs the discharge procedures for recovered residents of COVID Recovery Facilities and states that notice of discharge and discharge plan are not required;
5. Provides that there is no hearing or court order required for (i) transfer of a hospital patient to a COVID Recovery Facility, (ii) a COVID-19 transfer or (iii) a COVID-19 Recovered Discharge; and
6. Clarifies that the transfer deadline extensions, pursuant to Executive Order 7L, apply to COVID-19 transfer patients.

A link to Executive Order 7Y can be found here: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Y.pdf>

As part of the State's planning around long-term care, Governor Lamont also suspended the moratorium on new nursing home beds and directed the Department of Social Services Commissioner to temporarily certify additional nursing beds for COVID-19 recovery. Executive Order 7AA provides that any additional beds will be decertified at the end of the declared public health and civil preparedness emergency. A link to Executive Order 7AA can be found here: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7AA.pdf>

The Governor further directed his administration to increase Medicaid payments to nursing homes by 5%. This increase, combined with a previously announced 10% increase, is expected to provide an additional \$65 million in Medicaid payment increases to the State's nursing homes. The money will go towards payment of employees, new costs related to visitor screenings, personal protective equipment, cleaning and housekeeping supplies, and other COVID-19 related costs. Other payments from the state intended to address the continuing needs of nursing homes during the COVID-19 pandemic are outlined in the Governor's April 19th announcement found here:

<https://officeofthegovernor.cmail19.com/t/ViewEmail/j/76F5A7A185C95CBA2540EF23F30FEDED/BD38FA25E23308D7DCC9454293137CA2>

The Department of Public Health has also begun on-site visits to every nursing home and long-term care facility in the State, as guided by the Centers for Medicare and Medicaid Services, to conduct infection control surveys. The form used for these site visits can be found here:

<https://qsep.cms.gov/data/275/COVID-19FocusedSurvey-InfectionControlSurveyToolforNon-LTC.pdf>

If you have any questions or need assistance with healthcare-related issues, contact Jennifer Groves Fusco at (203) 786-8316 or jfusco@uks.com.

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