



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

July 24, 2020

Mr. Joseph DeMattos, Jr.
President & CEO
Health Facilities Association of Maryland

Mr. Kevin Heffner
President & CEO
LifeSpan Network

Ms. Allison Ciborowski
President & CEO
LeadingAge Maryland

Dear Mr. DeMattos, Mr. Heffner, and Ms. Ciborowski:

Thank you for your correspondence, dated July 22, 2020, regarding the protection of Marylanders' health and safety in long-term care facilities during the COVID-19 Public Health Emergency.

Since the beginning of the COVID-19 pandemic, Maryland has taken strong and decisive action to protect our state's most vulnerable seniors and residents by recommending and then requiring some of the strongest infection control measures, in the nation, at our long-term care facilities. In June, we started requiring the weekly mandated testing of all nursing home staff and large assisted living programs. On June 22, 2020, the [Federal government announced](#) that they are following Maryland's path and requiring the testing of all nursing home staff each week in states with a 5% positivity rate or greater.

In light of the continuing dangers of COVID-19 to our state, we are extending the state-sponsored mandated weekly COVID-19 testing of staff through August 15, 2020.

However, your member facilities must step up and do their part:

- Ensure their full compliance with the weekly staff testing requirement.

Some facilities have chosen not to supply complete staff rosters and collect and return specimens from their staff to the designated state lab in a complete and timely manner. This is unacceptable and the Maryland Department of Health (MDH) will enforce compliance to the maximum permitted by law, including administrative and criminal sanctions. Your facilities must protect their residents by enforcing infection control measures and keeping their residents from harm.

- Establish COVID-19 testing arrangements with laboratories by August 14 and provide your plans for continued weekly testing of staff to MDH for review and approval.

Alternatively, you may provide a clinically rigorous alternative testing regimen subject to our review and approval.

Maryland's nursing homes will receive a portion of the federal disbursement of \$5 billion mentioned in the U.S. Department of Health and Human Services' June 22, 2020 announcement. We fully expect that your member facilities will make use of those funds to protect your residents from COVID-19 by continuing weekly mandated testing of all staff, and residents, where appropriate and required. These funds are in addition to the \$4.9 billion that were previously announced by the federal government to offset revenue losses and assist nursing homes with additional costs related to COVID-19.

Should you have any questions, please do not hesitate to contact me or Webster Ye, Director of Governmental Affairs, at webster.ye@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert R. Neall", with a long horizontal flourish extending to the right.

Robert R. Neall
Secretary