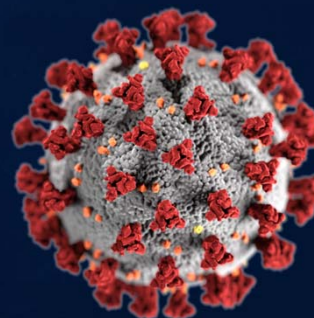


COVID-19 – Current guidance for Wisconsin Assisted Living Facilities – Where are we Now and Where are we Headed?

Attorney Bob Lightfoot, RN
Reinhart Boerner Van Deuren s.c.
Rlightfoot@reinhartlaw.com
608-229-2257



1

Topics to be Covered

- Visitation
- Essential Services
- PPE
- Testing
- Emergency Plan
- Waivers/Variations
- Employment Issues



2

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

2

Visitation

- Badger Bounceback
- Current DHS & CDC Guidance
- Exceptions
- Getting Creative



3

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

3

Essential Services

- Necessary Services
- Salon?
- Annual physician visit/dental visit
- Hospice, Home health, Therapy



4

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

4

PPE

Admit/Readmit when no PPE

What PPE/What circumstance?

PPE supplies for Assisted Living



5

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

5

Testing

- Testing for Assisted Living
- What will it likely look like?



6

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

6

Emergency Preparedness



- Emergency Plan Procedures
<https://www.dhs.wisconsin.gov/regulations/preparedness/em-prep-slides.pdf>
- CDC Preparedness checklist
https://www.cdc.gov/coronavirus/2019-ncov/downloads/novel-coronavirus-2019-Nursing-Homes-Preparedness-Checklist_3_13.pdf
- DHS Emergency Preparedness
<https://www.dhs.wisconsin.gov/regulations/preparedness/prep-hva.htm>
- 83.47 (2) EMERGENCY AND DISASTER PLAN. (a) *Written plan*. The CBRF shall have a written plan for responding to emergencies and disasters that is readily available to all employees.
- 89.23(2)(c) A residential care apartment complex shall have a written emergency plan which describes staff responsibilities and procedures to be followed in the event of fire, sudden serious illness, accident, severe weather or other emergency and is developed in cooperation with local fire and emergency services.

Waivers and Variances

- Minor staff
- Communicable Disease Assessment
- Fire Drills/Testing



Employment Issues



- RTW
- https://www.cdc.gov/coronavirus/2019-ncov/hcp/return-to-work.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fhealthcare-facilities%2Fhcp-return-to-work.html
- Proactive staffing contingencies R/T Anticipated AL Testing
- <https://www.cdc.gov/coronavirus/2019-ncov/hcp/mitigating-staff-shortages.html>

9

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

9

Surveys



- **May 29, 2020 Bureau of Assisted Living – Technology Based Inspections**
- In order to reduce the footprint in assisted living facilities during the COVID-19 crisis, the Bureau of Assisted Living will conduct remote surveys.
- Surveys conducted during this time will include but not limited to:
- All complaints that constitute imminent danger, immediate threat, and allegations of abuse and neglect
- Complaints alleging infection control concerns, including facilities with potential COVID-19 or other respiratory illnesses
- Statutorily required probationary licensing visits
- Verifications visits required due to a No New Admission Order (NNAO) or NNAO Extended Initial licensing/certification surveys
- Surveyors will conduct remote surveys using a combination of phone calls, email/fax, and online video conference technology to complete interviews, record reviews, and observations.
- Online video conferences will be conducted through Apple FaceTime or Zoom.

10

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

10

Weekly BAL Assisted Living Forums

- This session is conducted on Tuesdays from 10:00-11:30 a.m. until further notice. Please join us on Tuesday, June 2, 2020.
- **To Join:**
 - [Join Zoom Meeting](#)
Meeting ID: 723 961 504
 - **Or by Phone:** +1 312 626 6799
 - Questions in advance of the BAL Forum go to:
 - DHSDQABALCentral@dhs.wisconsin.gov



11

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

11

Attorney Bob Lightfoot
rightfoot@reinhartlaw.com
608-576-5362 c
608-229-2257 o



Thank You!

This presentation provides information of a general nature. None of the information contained herein is intended as legal advice or opinion relative to specific matters, facts, situations or issues. Additional facts and information or future developments may affect the subjects addressed in this presentation. You should consult with a lawyer about your particular circumstances before acting on any of this information because it may not be applicable to you or your situation.

12

© 2020 All Rights Reserved
Reinhart Boerner Van Deuren s.c.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

12