

UPDATE CORONAVIRUS (COVID-19)



Stay informed. Take precautions. Stay safe.

Dear Members,

In recent weeks, the Department of Public Health has issued three important COVID-19 updates that may impact the operation of assisted living communities. There are three categories of policy changes: Rescinding of Certain Emergency Orders, Updated Guidance on Testing, and Expiration of Temporary Nursing Licenses. Please see below for updates and related links to access additional information.

RESCINDING OF CERTAIN EMERGENCY ORDERS

On November 14, the Commissioner of MA DPH rescinded several COVID-19 Public Health Emergency Orders. Please see below for the now-rescinded orders that may impact the operations at your assisted living residence.

“b. COVID-19 Public Health Emergency Order 2021-01-G, issued June 14, 2021, prohibiting billing uninsured individuals for COVID-19 testing.” This rescinded order applied to “any entity which administers testing for COVID-19” and disallowed the billing of an uninsured individual for a COVID-19 test, or imposing any fee or costs associated on them. The original order can be found at this [link](#), on page 11 (attachment G).

“h. COVID-19 Public Health Emergency Order 2021-03, issued July 30, 2021, regarding COVID-19 vaccine possession and storage in long-term care facilities and certified assisted living residences.” This rescinded order allowed retail pharmacies that had contractual agreements with ALRs to provide COVID-19 vaccines to an ALR without patient specific prescriptions. It also allowed ALRs to receive and possess the vaccines without obtaining a MA Controlled Substance Registration as a health facility. The original order can be found at this [link](#).

“a. COVID-19 Public Health Emergency Order 2021-01-E, issued June 14, 2021, regarding COVID-19 data reporting.” This rescinded order required all “health care providers” to make every reasonable effort to collect demographic information on patients with confirmed or suspected COVID-19 and include that information when ordering COVID-19 testing from a laboratory. It then required laboratories to report that data to DPH. The original order can be found at this [link](#), on page 9 (attachment E).

I. COVID-19 Public Health Emergency Order 2022-01, issued January 6, 2022, requiring certain personnel to receive a booster vaccination dose against COVID-19; This rescinded order required programs, facilities, and personnel subject to COVID-19 vaccination requirements, which included certified assisted living residences, to ensure eligible personnel received boosters by February 28, 2022. As a reminder, EOE’s emergency regulations on vaccinations for influenza and COVID-19 remain in effect and can be found at 651 CMR 12.06(9), also at this [link](#). The original order can be found at this [link](#).

UPDATED GUIDANCE ON TESTING

The Massachusetts Department of Public Health has issued an update to their LTC Surveillance and Outbreak Testing Guidance. This Guidance is required for health care

facilities and recommended for assisted living residences. This updated guidance replaces the guidance issue on June 10, 2022, which can be accessed [here](#).

Excerpt from the updated guidance:

To mitigate the risk of facility-based outbreaks, to protect the health and safety of residents and staff against the spread of COVID-19, and to incorporate recent changes made by the Centers for Disease Control and Prevention (CDC), all assisted living communities are recommended to continue to implement the surveillance testing program accordingly. The updates align with the CDC's recently updated recovery time for infected individuals from the previously required time of ninety (90) days to thirty (30) days and it also replaces the request form for outbreak test kits with a web link.

General updates are as follows:

- What to do if you are experiencing an outbreak – If you are currently experiencing an outbreak and need to perform outbreak testing, you may request point-of-care test kits [here](#).
- Surveillance Testing – Facility staff who are up to date with COVID-19 vaccines are recommended to conduct weekly testing. Staff who are not up to date with COVID-19 vaccines are recommended to conduct twice-weekly testing.
- Previously Positive Individuals – Due to evidence of local transmission of variants of concern, and limited data of the effectiveness of natural immunity from a prior infection, individuals more than 30 days from the date of original infection should be included in surveillance and outbreak testing.
- Additional Testing – In addition to performing surveillance testing, facilities should also conduct testing as needed under special circumstances.
- Staff Definition – “Staff” includes employees, consultants, contractors, volunteers, caregivers who provide care and services to residents on behalf of the facility, and students in the facility’s nurse aide training programs or from affiliated academic institutions reporting to the facility during the relevant testing period.

You may access the full guidance [here](#).

EXPIRATION OF TEMPORARY NURSING LICENSES

On December 14, 2022, the Department of Public Health sent a reminder to all licensed nurses, reminding them of the approaching expiration date of temporary nursing licenses. We’re including it here as a reminder for all nurses holding a temporary license, many of whom are employed in assisted living communities. Please see below for the full reminder.

December 14, 2022

To Massachusetts Nurses:

We are writing with another important reminder about temporary nursing licenses.

All Massachusetts temporary nursing licenses will expire on December 31, 2022 in accordance with the Order of the Commissioner of Public Health (COVID-19 Public Health Emergency Order No. 2022-18 (issued September 30, 2022).

To continue to practice in Massachusetts after December 31, 2022, nurses now practicing with a temporary license, who have not already submitted an application for permanent licensure within the last year, must apply right away. *

Since December 1, 2022, there is an expedited pathway for licensure available to:

- nurses holding a temporary license; and
- nurses licensed in good standing in other states who apply for permanent licensure in Massachusetts

See details from the Board of Registration in Nursing (BORN) here: [Expedited Processing of Reciprocal License Applications Licensure Policy 10-03 | Mass.gov](#).

Under this policy, nurses qualified for a permanent license will receive conditional

approval of their permanent license while their application is processed.

1. Conditional approval of licensure will be issued within 3 business days of receipt of the application and fee.
2. Nurses must verify licensure [online](#) to ensure a conditional approval has been issued.
3. A nurse will be able to practice with conditional approval for 90 days from the date of issuance.
4. During the conditional approval period, the nurse must complete all outstanding licensure requirements.
5. After 90 days, to continue practicing in Massachusetts, a nurse must verify [online](#) that their permanent license has been issued.

***Due to the impending expiration on December 31st, submitting a temporary license application is no longer recommended.**

The Department of Public Health and BORN strongly encourage hospitals and other facilities to communicate this information to all nurses with a temporary license and assist those nurses to apply for a permanent license as soon as possible.

Apply for a permanent license [here](#).

Thank you for your prompt attention to these policies.

Email alert.network@mass.gov for additions/unsubscribe to listserv.

If you have any questions, please contact us at Mass-ALA@mass-ala.org

**The information provided in this COVID-19 update is solely for general informational purposes to assist in understanding the evolving guidance regarding the current COVID 19 public health threat. It is not intended to be a primary public health or medical resource but is provided as a clearinghouse for or compilation of various guidance issued by official and related sources.*

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