



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Note: The below FAQs are as of March 31, 2020. With things changing rapidly, please check back often for updates.

A resident of our home tested positive for COVID-19 and the hospital is wanting to discharge them back to our facility. Do we have to take them?

If the resident is ready to be discharged and the AFC or HFA has proper supplies and staff to meet the needs of the resident when discharged, then the facility is required to take the resident as they must be able to return to their home. Facilities should be asking questions of the hospital such as the following before the hospital discharges the resident back to their facility.

- Does the resident meet criteria outlined in the [CDC Interim Guidance for Discontinuation of Transmission-Based Precautions and Disposition of Hospitalization Patients with COVID-19](#)?
- Has the patient gone at least 3 days (72 hours) fever free without the use of fever reducing medications and demonstrates an improvement in respiratory symptoms (cough, shortness of breath)? If no, then the resident is not ready to be discharged from the hospital.
- Does the facility have the needed PPE or medical staff available to meet the resident's needs?

Hospitals should provide guidance on any precautions (if any) that the facility should take to protect staff and other residents. If the hospital is recommending staff use PPE (like gloves, masks, etc.) and the facility does not have any nor can they get any, they should discuss that with the hospital discharge planner to see if they can assist the facility in getting needed items before the resident is discharged.

We cannot obtain or complete TB testing for new staff. Can we proceed with hiring them without a TB test?

During this crisis where many non-essential doctor's visits or testing is being canceled or not being scheduled, licensing will allow facilities to start staff prior to getting TB tested so they can keep facilities properly staffed. Facilities should conduct TB screenings of any new staff until they can be TB tested.

Can we forgo fingerprinting new staff until after the crisis is over?

Since fingerprint background checks are required by law, this requirement cannot be waived by licensing and any waiver of this requirement would need to come from the governor. We continue to monitor the access to fingerprint locations. As of March 23, 2020, there were about 21 locations closed but 42 Identogo locations still open throughout the state. We are recommending that facilities that need immediate staff offer a conditional employment offer in accordance with [MCL 400.734b \(6\)](#) for AFC or [MCL 333.20173a \(5\)](#) for HFA. If the conditional employment requirements of these sections of law are met, this will allow facilities to hire and start new staff prior to getting fingerprint employment eligibility results back as long as the new employee is fingerprinted within 10 days of their start date.

My CPR and first aid card is about to expire. Can I postpone renewing my training until the crisis is over?



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The American Heart Association has issued a letter requesting that regulating bodies (such as licensing) consider honoring a 60-day extension to their current card expiration date which could be extended longer based on the evolving COVID-19 threat. AFC licensing is willing to accept this 60-day extension for all CPR and first aid update/refresher trainings.

NOTE: Executive Order 2020-30 states the following: "For individuals who hold professional certifications in basic life support, advanced cardiac life support, or first aid, such certifications shall continue to remain in effect while the emergency declaration is in effect, even if they are otherwise due to expire during the emergency."

https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-523481--,00.html

What about CPR and First Aid Training for new staff?

For new employees who need initial training, we will temporarily accept online trainings until the crisis is over. Once over, we will expect new staff to complete in-person training as needed. Facilities are responsible to ensure new staff are competent in required trainings before being scheduled alone in a facility.

Do I need to get references, verification of education, etc. before hiring a new staff person?

Facilities need to balance the immediate need for staff with the safety of the residents. While licensing will be lenient on timeframes this information is gathered during the crisis, it is recommended that facilities do not allow a new staff person to work alone at the facility while gathering required paperwork for new hires.

We have concerns about residents not being able to follow social distancing protocols? Do we need to continue to practice fire drills?

If it is believed that residents are not able to practice social distancing during a fire drill or if there are other infection control concerns, the facility can postpone full fire drills. It is recommended if full fire drills are postponed, that the facility still run a drill with staff only if possible. Licensing and the Bureau of Fire Services will be understanding when reviewing fire drills due during the crisis.

Are AFC licensing consultants and HFA licensing staff considered essential staff?

Yes. While licensing has scaled back its non-essential visits to facilities, licensing is still responsible for ensuring that vulnerable adults remain safe. Licensing will continue to conduct complaint investigations of a serious nature and will go onsite as necessary. Facilities will need to allow licensing staff into the building.

Will the Bureau of Fire Services continue all inspections during the crisis?



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The Bureau of Fire Services has postponed all non-essential inspections for AFCs and HFAs such as inspections for renewals. They will still conduct investigations of allegations of serious nature. They also understand vendor testing of sprinklers and alarms may be delayed during this time. Any alarms on the fire panel or any other system issues should be addressed as soon as possible.

Are direct care workers considered essential staff and do they need a letter designating them as such to travel to work?

All AFC and HFA staff are considered essential workers as they are caring for vulnerable adults. They can travel to work without a letter. While it is not believed that law enforcement are stopping people that are outside their house, if you are stopped, you should explain that you are going to work at a facility that cares for vulnerable adults and you should be allowed to proceed.

Can we continue to admit new residents?

To date, the state has not banned new admissions. The facility should do their own risk assessment and conduct a screening assessment of any potential new resident prior to admitting new residents to their facility.

We are not able to schedule pre-employment physicals due to the crisis. Can we start new staff without a physical?

We understand many doctors are canceling any non-essential doctor visits. We will allow facilities to conduct their own assessment of a new employee with the expectation that the new employee get a physical as soon as they are able.

Can we use virtual/tele-medicine to complete a physical for direct care staff since many doctor's offices are closing or postponing non-essential visits?

We will allow a virtual physical in the interim to expedite and make sure direct staff are available but the expectation would be that the staff get an in-person physical once their doctor's office will start seeing them in person again.

I no longer can visit my loved one in their AFC or HFA home as required by the emergency order. Can I communicate with them during the visiting ban?

Yes. The facility must allow you to communicate by phone, email or video (FaceTime, Skype, etc.) The facility should be able to accommodate conversations if the resident does not have their own phone or computer.

Do facilities have to allow any family and friends to visit if their loved one is on hospice?



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[Executive Order 2020-7](#) allows visitors to hospice residents. The facility should screen any visitors prior to allowing them entry.

Can I take my loved one out of a facility to visit and if so, does the facility have to allow the resident to return to the facility?

The Governor's order does not prohibit residents from leaving the facility however if a resident does leave the facility, the facility can ask screening questions and depending on where the resident went, who they were in contact with, the facility could prohibit the resident from returning. At this time it is advised (but not required) that the residents do not leave the facility. While the facility must allow the resident to return to their home, if the resident doesn't practice social distancing when out of the facility or doesn't follow facility protocol on self-isolating when potentially exposed, the facility can issue a discharge notice to the resident in accordance with licensing rules.

I am being harassed for buying too much at the grocery store because during this crisis as I am buying for several residents. What can I do?

One option is that you contact the grocery store to let them know your situation. It is also recommended that you wear an employee ID if you have one and carry a copy of your license so you can present it and explain that you are shopping for multiple residents.