

2020 First Extraordinary Session

HOUSE RESOLUTION NO. 19

BY REPRESENTATIVE WILLARD

HEALTH/LDH: Directs the La. Department of Health to implement certain policies for the health and safety of long-term care facility residents

1 A RESOLUTION

2 To direct the Louisiana Department of Health to implement certain policies to protect the
3 health and safety of long-term care facility residents and to establish and administer
4 a statewide long-term care emergency response task force.

5 WHEREAS, the ongoing global outbreak of respiratory disease caused by a novel
6 coronavirus and named "coronavirus disease 2019", abbreviated as "COVID-19", has been
7 recognized as a pandemic since March 11, 2020; and

8 WHEREAS, according to data supplied by the Louisiana Department of Health, the
9 average age of victims of the COVID-19 pandemic in Louisiana is seventy-five; and

10 WHEREAS, as of the date of filing of this Resolution, Louisiana has registered
11 nearly two thousand nine hundred officially reported deaths from COVID-19; and

12 WHEREAS, the COVID-19 pandemic has created additional challenges for people
13 living with dementia, particularly those in long-term care settings, as well as their families
14 and caregivers; and

15 WHEREAS, long-term care facility residents with Alzheimer's and other dementias
16 are particularly susceptible to COVID-19 due to their typical age, their significantly
17 increased likelihood of coexisting chronic conditions, and the congregate nature of these
18 settings; and

19 WHEREAS, approximately ninety-two thousand people over the age of sixty-five
20 in Louisiana are currently living with Alzheimer's; and

1 WHEREAS, nationwide, forty-eight percent of nursing home residents are living
2 with dementia and forty-two percent of persons residing in residential care homes and other
3 assisted living facilities have Alzheimer's or another dementia; and

4 WHEREAS, nursing homes and assisted living communities are on the front lines
5 of the COVID-19 crisis; and

6 WHEREAS, across the country, these facilities, their staff, and their residents are
7 experiencing a crisis due to a lack of transparency, an inability to access necessary testing,
8 inaccurate reporting, and other factors; and

9 WHEREAS, one-third of Louisiana's COVID-19 deaths have occurred in long-term
10 care facilities; and

11 WHEREAS, the Louisiana Department of Health licenses and regulates nursing
12 facilities pursuant to the provisions of R.S. 40:2009.1 through 2011; and

13 WHEREAS, pursuant to the provisions of R.S. 40:2166.1 et seq., the Louisiana
14 Department of Health also licenses and regulates adult residential care homes and providers,
15 which are commonly known as assisted living facilities; and

16 WHEREAS, nursing facilities and adult residential care homes and providers are
17 referred to collectively as long-term care facilities.

18 THEREFORE, BE IT RESOLVED that the House of Representatives of the
19 Legislature of Louisiana does hereby direct the Louisiana Department of Health, referred to
20 hereafter in this Resolution as the "department", to implement all of the following policies
21 and mandates with respect to the long-term care facilities that it licenses and regulates:

22 (1) Each nursing home, adult residential care home, and adult residential care
23 provider shall establish and implement a protocol to use testing to verify that all residents,
24 staff, and visitors are free of COVID-19 infection, whether or not they are symptomatic. All
25 such long-term care facilities shall report positive diagnoses of COVID-19 to the department
26 within twenty-four hours, update previously reported cases at least weekly, and proactively
27 notify family members and any designated persons of changes.

28 (2) The department shall maintain a web platform that contains COVID-19 data
29 from all long-term care facilities which is searchable down to the facility level to make
30 de-identified data available immediately upon reporting.

1 (3) The department shall establish a protocol for steps that each long-term care
2 facility must take once a resident or staff member tests positive for COVID-19 and shall
3 require that this protocol be implemented by the facility.

4 (4) The department shall establish an isolation protocol for long-term care facility
5 residents who test positive for COVID-19 for the purpose of keeping uninfected persons
6 from sharing rooms with persons who are infected with the virus.

7 (5) The department shall issue a care coordination protocol to guide long-term care
8 facilities and hospitals, respectively, during the transition between care settings in instances
9 when a long-term care facility resident must be moved from his residence to an acute care
10 setting.

11 (6) The department shall disseminate essential dementia care standards to aid
12 provisional staff in the delivery of person-centered dementia care.

13 (7) The department shall implement the use of personal information forms for each
14 resident to allow all staff to quickly identify essential information about the person to help
15 maintain a stable and comforting environment.

16 (8) The department shall require that long-term care facilities address social isolation
17 and ensure that people with dementia are able to communicate with designated family and
18 friends.

19 BE IT FURTHER RESOLVED that the House of Representatives of the Legislature
20 of Louisiana does hereby direct the department to establish and administer a statewide
21 long-term care emergency response task force composed of representatives of nursing
22 homes, assisted living communities, patient advocacy organizations, and select department
23 staff to coordinate with all key stakeholders and the office of the governor in order to
24 identify pressing issues and implement solutions.

25 BE IT FURTHER RESOLVED that the task force established pursuant to this
26 Resolution shall report findings and recommendations concerning protection of the health
27 and safety of long-term care facility residents to the governor, each member of the House
28 of Representatives of the Legislature of Louisiana, and the David R. Poynter Legislative
29 Research Library prior to the convening of the 2021 Regular Session of the legislature.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
2 governor and the secretary of the Louisiana Department of Health.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 19 Original

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Willard

Directs the La. Department of Health to implement certain policies to protect the health and safety of long-term care facility residents and to establish and administer a statewide long-term care emergency response task force. Directs the task force to report findings and recommendations concerning protection of the health and safety of long-term care facility residents to the governor and the La. House of Representatives prior to the convening of the 2021 R.S.