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## **MEMORANDUM**

To: Hospitals, Nursing Facilities, Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/IID), Assisted Housing Facilities, and Medical Facilities licensed by the Division of Licensing and Certification

From: Bill Montejo, RN, Director, Division of Licensing and Certification  
Isaac Benowitz, MD, State Epidemiologist, Maine Center for Disease Control and Prevention (CDC)

Re: Emergency/crisis staffing plans;  
Exposure guidance and tools; and  
Infection prevention and control plans

Date: January 13, 2022

### **Purpose and Application**

This memo provides updated information and resources on emergency staffing as well as information around COVID-19 exposures and infection prevention and control requirements for licensed adult facilities in Maine. Please review this information carefully, as requirements vary by type of facility. Requirements for federally certified healthcare facilities are generally more stringent than requirements for Assisted Housing facilities, but given the current prevalence of COVID-19, Assisted Housing facilities should follow the more stringent guidance to the greatest extent possible.

### **Emergency/Crisis Staffing Plans**

On September 24, 2021, the Division of Licensing and Certification (“DLC”) distributed *Revised Crisis Staffing Guidance Due to Covid-19* (“Guidance”) that included considerations and options as part of a facility’s emergency staffing plan. This memorandum replaces that Guidance in light of revised U.S. CDC guidance. DLC urges each licensed facility to:

- Follow U.S. CDC guidance;
- Follow any specific Maine CDC guidance provided by the assigned Maine CDC outbreak investigator; and
- Follow its own emergency/crisis staffing plan.

All licensed facilities should review and follow the U.S. CDC Staffing Strategies at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/mitigating-staff-shortages.html>. The U.S. CDC staffing strategies are consistent with our previous guidance.

*“[U.S.] CDC’s mitigation strategies offer a continuum of options for addressing staffing shortages. Contingency, followed by crisis capacity strategies, augment conventional strategies and*

*are meant to be considered and implemented sequentially (i.e., implementing contingency strategies before crisis strategies). For example, if, despite efforts to mitigate, HCP staffing shortages occur, healthcare systems, facilities, and the appropriate state, local, territorial, and/or tribal health authorities might determine that certain HCP with suspected or confirmed SARS-CoV-2 infection should return to work before the full conventional [Return to Work Criteria](#) have been met. Allowing HCP with SARS-CoV-2 infection or higher-risk exposures to return to work before meeting the conventional criteria could result in healthcare-associated SARS-CoV-2 transmission.”*

Maine CDC continues to assist facilities with COVID-19 outbreaks. As part of that support, it may provide facility-specific recommendations on mitigating the spread of COVID-19 and maintaining care for residents. Facilities should follow those specific recommendations.

In addition, all federally certified facilities must have emergency plans that address staffing and emergency/crisis staffing contingencies as required by the Centers for Medicare and Medicaid Services (CMS) State Operations Manual (SOM) Appendix V. This can be obtained at <https://www.cms.gov/medicareprovider-enrollment-and-certificationsurvey/certificationgeninfo/policy-and-memos-states-and/updated-guidance-emergency-preparedness-appendix-z-state-operations-manual-som>.

When investigating complaints or conducting survey activities, DLC will continue to review facility documentation of staffing interventions and efforts taken prior to implementing contingency or crisis capacity plans.

### **Exposure Guidance and Tools**

U.S. CDC guidance on how to respond to a COVID-19 exposure has changed in recent weeks, particularly regarding quarantine and isolation recommendations for healthcare facilities and for the public. There are different timeframes for return to work and other activities based on public, healthcare personnel, or resident guidance, with healthcare facilities currently having longer times. U.S. CDC released new guidance for healthcare settings in December 2021 and for community settings in January 2022. For the latest information on healthcare worker quarantine and isolation, please refer to the U.S. CDC Staffing Shortage Strategies referenced earlier (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/mitigating-staff-shortages.html>). In addition, the Maine CDC HAI website (<https://www.maine.gov/dhhs/mecdc/infectious-disease/hai/resources.shtml>) includes flow charts and other tools to assist you with implementing U.S. CDC guidance. Note that the exposure flow chart begins with healthcare and continues on page 3 with a tool for general (non-healthcare) exposures.

### **Infection Prevention and Control Required of all Facilities**

In light of the highly infectious nature of COVID-19, and particularly the Omicron variant currently circulating in Maine, all facilities should review their infection prevention and control plans and ensure that staff have been trained in accordance with the plans. These plans have long been required of federally certified facilities, and in June 2021, following several months of technical assistance, the Division of Licensing and Certification adopted an infection prevention control requirement for all Assisted Housing facilities, which can be found here: <https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/Chapter%20113%20Infection%20and%20Control.pdf>

When investigating complaints or conducting survey activities, DLC will review infection prevention and control plans and documentation that those plans have been implemented. Several infection prevention and

control resources are available on the Maine CDC HAI website (<https://www.maine.gov/dhhs/mecdc/infectious-disease/hai/resources.shtml>).

Please continue to monitor the Maine CDC and U.S. CDC guidance on a regular basis as the pandemic continues to unfold and guidance continues to be updated.

Please feel free to contact the DLC if there are questions regarding this guidance. Thank you for your continued efforts to keep residents safe.