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**A DIFFERENCE**  
**EVERY DAY**



Visit our COVID-19 Page Here

**Dear Member:**

### **New CMS Guidance on Nursing Home Visitation (QSO-20-39-NH)**

On Thursday September 17, 2020, CMS issued a new set of nursing home visitation guidelines, laying out a roadmap for resuming indoor visits based on community COVID-19 spread and emphasizing the importance of meeting residents' psychosocial needs. The Centers for Medicare & Medicaid Services (CMS) unveiled the new recommendations in [a memo to directors](#) of State Survey Agencies, the groups responsible for performing routine nursing home inspections.

MHCA has reached out to the Maine Division of Licensing to request clarification on how this new federal guidance may impact the current Maine state guidance regarding visitation, phased reopening and testing. We have not received additional information at this time; however, we are aware that there are two separate draft guidance and clarification documents being prepared for release. One would address assisted housing providers testing, reopening and visitation, while the other should address compassionate care visitation and testing. Once we have received feedback from the Maine DLC, we will share that information with members promptly.

### **Mills Administration Broadens Standing Order to Allow Anyone in Maine To Get Tested for COVID-19**

Governor Janet Mills and Commissioner of Health and Human Services Jeanne Lambrew announced today that anyone in Maine can now get tested for COVID-19 without the need for a separate order from a health care provider. The Maine Department of Health and Human Services (DHHS) has broadened its [Standing Order \(PDF\)](#) to include all individuals who think they need a COVID-19 test. This means that participating sites may test anyone in Maine over the age of 12 months who feels they need a test, even if they don't have a primary care provider or a written order from a clinician.

Additionally, the Standing Order now also applies to antigen testing, in addition to PCR (molecular) testing. The clinical performance of rapid antigen tests largely depends on the circumstances in which they are used. Rapid antigen tests perform best when the person is tested in the early stages of infection with coronavirus when viral load is generally highest. The Standing Order does not apply to antibody testing, which has not been proven reliable. The Order helps people who don't have a primary health care provider, can't communicate in a timely way with their health care provider, or are visiting Maine or coming back to Maine from another state, for example.

Previously, the DHHS Standing Order broadly allowed people with known exposure or elevated risk of exposure to the virus to get tested, with or without symptoms. Now, people who feel they need a test who are not otherwise at high risk can get tested, with or without symptoms.

Maine's 27 Swab and Send sites complement the roughly 40 current testing sites already available to the public. For a list of all sites providing tests to people without symptoms and without requiring a provider referral, visit [the Keep Maine Healthy website](#). Some of the organizations operating Swab and Send sites, as well as other organizations, are offering testing to their patients at additional sites as well. For a complete and frequently updated list of COVID-19 testing sites in Maine, visit [Get-Tested-COVID19.org](#).

DHHS covers the full costs of specimen collection and lab testing for any COVID-19 lab test done at one of the State-contracted Swab and Send sites through at least October 31, 2020. For other testing sites, individuals should confirm coverage with their health plan as well as ask about any payments that may be required.

### **CMS Updates County Testing Data Weekly and Allows for Use of State or County Data**

The Centers for Medicare and Medicaid (CMS) has updated the [Excel file](#) that flags COVID-19

positive test rates in counties. CMS modified the method for classifying a county as green, yellow, or red and expanded the measure to cover results over a 14-day period in each county instead of seven days. SNFs should use the color classification provided in the file. As a reminder, MHCA posts the updated information at the top of our resources page at <https://www.mehca.org/covid>. All Maine counties are presently green.

The revised methodology results in some red counties with rates >10% being reclassified to yellow:

- Green = Counties with test percent positivity <5.0% or with <20 tests in past 14 days
- Yellow = Counties with test percent positivity 5.0%-10.0%; OR with <500 tests and <2,000 tests/100k and >10% positivity over 14 days
- Red = >10.0% and not meeting the criteria for "Green" or "Yellow"

Posting Frequency: CMS also clarified that it will [post county data weekly](#). It stated that facilities must check weekly and should pick one day of the week to check each week. They should document their plan for checking and document the dates used by CMS for the data in the top of the Excel file. You do NOT need to check the same day CMS posts.

Using State or County Data: CMS has indicated on several national calls that facilities can use test positivity data released by their state or county if the data is more recent than the CMS data. The facility must document the source and date of the data being used.

### **Resident Voting Webinar this Friday**

Maine LTCOP and DRM have partnered to provide: ***Yes, you can vote! A workshop for residents of long-term care facilities, their families, staff and administrators***

Time: Friday, Sept. 25, 2020 01:00 PM Eastern Time (US and Canada)

Join Zoom Meeting:

<https://us02web.zoom.us/j/89263655985?pwd=TTBONm15SFB1b1NKaXlrOWx4dVAxUT09>

**Meeting ID: 892 6365 5985, Passcode: 675968**

One tap mobile +13017158592, 89263655985# US (Germantown)

Or Dial in: +1 646 558 8656 US (New York), Meeting ID: 892 6365 5985

MHCA encourages members to join this free 1 hour workshop to learn about voting rights for residents of long-term care facilities, including those under guardianship. Presenters will review new guidance from Maine's Secretary of State on how to vote safely by absentee ballot during the pandemic. They'll give staff and administrators clear guidelines on appropriate support for residents who may need assistance filling out applications and ballots. They'll discuss your concerns, identify challenges, and offer solutions to support voting access in long-term care facilities.

### **ICYMI: Abbott BinaxNOW™ Webinar Powerpoint Now Available and How to Become CLIA Certified**

The [slide deck](#) from Friday's Abbott BinaxNOW™ Webinar for assisted living facilities is now available. Abbott also provides the following useful links and critical contact information:

Contact Information:

- To report shipping issues/order quality concerns, contact: [ARDxUSGovernmentSupport@abbott.com](mailto:ARDxUSGovernmentSupport@abbott.com)
- For technical usage questions about the BinaxNOW™ test, contact Abbott directly at: Technical support: [ts.scr@abbott.com](mailto:ts.scr@abbott.com) or 1-800-257-9525
- For all other questions related to distribution, please contact [HHSBINAX@hhs.gov](mailto:HHSBINAX@hhs.gov). this inbox was established to coordinate the distribution of government procured Abbott BinaxNOW™ kits. This inbox should NOT be used to request kits for facilities not currently receiving these tests.

For training videos & documentation and other important links, please refer the following information:

- For access to access training videos and documents, please visit the [BinaxNOW™ COVID-19 Ag Card and NAVICA™ App Set-Up and Training portal](#).
- For CLIA FAQs and information, click [here](#).
- For policy regarding performance of antigen tests authorized by the FDA under an Emergency Use Authorization (EUA) at the point of care or in patient care settings operating under a CLIA Certificate of Waiver, please refer to CMS's policy [here](#) and PREP Act

guidance [here](#).

- For FDA recommendations to health care providers who are ordering authorized tests outside their authorization (e.g., antigen tests for asymptomatic individuals), please see [FDA's FAQ on Testing for SARS-CoV-2](#).
- For questions regarding the status of your shipment please contact Abbott directly at: Customer Service: [ARDxUSGovernmentSupport@abbott.com](mailto:ARDxUSGovernmentSupport@abbott.com) or 1-877-441-7440

To receive a kit from HHS, a community, by law, must have a Clinical Laboratory Improvement Amendment (CLIA) Certificate of Waiver to perform testing. Providers who wish to become CLIA certified must apply for a CLIA Certificate. Please view the brochure, [How to Apply for CLIA Certificate of Waiver](#) and submit your application form [CMS Form 116](#) to the state ([CLIA State Agency Contacts](#)) where the provider who is applying is located.

Once the provider has identified a qualified laboratory director and has provided all required information on the CMS-116 application, a CLIA number will be assigned. Once the CLIA number has been assigned, the provider is considered to have a CLIA certified waived laboratory and can begin testing if applicable CLIA requirements have been met (e.g., establishing performance specifications).

Thank you for all you do to care for your residents and staff.

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