

2020 First Extraordinary Session

HOUSE RESOLUTION NO. 19

BY REPRESENTATIVE WILLARD

A RESOLUTION

To direct the Louisiana Department of Health and the Department of Veterans Affairs to implement certain policies to protect the health and safety of long-term care facility residents.

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

WHEREAS, according to data supplied by the Louisiana Department of Health, the average and median ages of persons who have died of COVID-19 in Louisiana are seventy-four and seventy-six, respectively; and

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Department of Veterans Affairs operates and maintains nursing facilities for veterans pursuant to the provisions of R.S. 29:381 et seq.; and

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

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby direct the Louisiana Department of Health and the Department of Veterans Affairs, each referred to hereafter in this Resolution as the "department", to implement all of the following policies and mandates with respect to the long-term care facilities licensed and regulated by each department, respectively:

(1) Each department shall provide all nursing homes, adult residential care homes, and adult residential care providers that it regulates the ability to follow protocols of the Centers for Disease Control and Prevention (CDC), or other federal or state protocols, to use testing to verify that all residents and staff are free of COVID-19 infection, whether or not they are symptomatic. All such long-term care facilities shall report positive diagnoses of COVID-19 to the department which regulates it within twenty-four hours, update previously reported cases at least weekly, and proactively notify family members and any designated persons of changes.

(2) Each department shall maintain a web platform that contains COVID-19 data which is searchable by facility for all long-term care facilities that it regulates.

(3) Each department shall provide CDC-recommended isolation protocols, including but not limited to cohorting, for long-term care facility residents who test positive for COVID-19 for the purpose of keeping uninfected persons from sharing rooms with persons who are infected with the virus.

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

(5) Each department shall disseminate essential dementia care standards to aid provisional staff in the delivery of person-centered dementia care.

(6) Each department shall require that long-term care facilities address social isolation and ensure that people with dementia are able to communicate with designated family and friends.

(7) Each department shall establish a clear process for stakeholders and patient advocacy organizations to communicate pressing issues and implement solutions.

BE IT FURTHER RESOLVED that each department shall implement the policies provided for in this Resolution as long as it accepts state and federal funding to address the COVID-19 pandemic.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES