



Coronavirus (COVID-19)  
**Assisted Living Facility**  
Frequently Asked Questions  
7 April 2021

**What does “offering” a vaccine mean in the new emergency rule?**

Answer: LTCR is defining the term “offer” vaccines as follows: in the context of this rule, the term “offer” means the facility administered, arranged/assisted **OR** educated/provided information to the resident and staff **AND** documented each resident’s choice to be vaccinated or not.

If a facility did not “offer” the vaccine based on the definition above, the facility has to follow the more restrictive visitation rules, which require the facility to have an approved Form 2196. If a facility already has an approved Form 2196, it does not need to submit one again unless the facility has changed its visitation policies. For example, if a facility was previously approved for only outdoor visits but now wants to allow indoor plexiglass barrier visits, it would need to resubmit the form.

**What are some benefits for facilities and their residents once they have offered the vaccine?**

Answer: If a facility has offered the vaccine as in the context of HHSC’s definition, the facility will no longer be required to submit an attestation form. Residents may now choose to have close or personal contact with their visitor during the visit. In addition to personal visitors, the resident will still be able to choose up to two permanently designated essential caregivers, but once the resident has been offered the vaccine, the resident's two designated essential caregivers may visit at the same time.

**What can a facility allow if it has offered the vaccine?**

Answer: Facilities that have offered the vaccine are able to permit:

- close/personal contact during visitation;

- outdoor visitation for all facilities, even when the facility has an outbreak; and
- all visitation without time limits, while adhering to infection prevention and control measures (though visits must still be scheduled).

### **If my facility has not documented the offering of the vaccine for the residents, what type of visitation can my facility allow?**

If the facility has not offered (in the context of the HHSC's definition of "offer") a complete series of a one- or two-dose COVID-19 vaccine to residents, the facility must allow limited personal visitation as described in 26 TAC [§553.2003\(g\) of the COVID-19 emergency rule](#). The facility must submit Form 2196 and, if approved by HHSC, allow outdoor visits, open window visits, vehicle parades, and plexiglass indoor visits involving residents and personal visitors. The following requirements apply to all visitation types as specified:

- Open window visits, vehicle parades, outdoor visits, and plexiglass indoor visits are permitted as can be accommodated by the facility only for residents who are COVID-19 negative.
- Closed window visits, end-of-life visits, and essential caregiver visits are permitted for residents who are COVID-19 negative, COVID-19 positive, or unknown COVID-19 status, as can be accommodated by the facility.
- Physical contact between residents and visitors is prohibited, except for essential caregiver visits and end-of-life visits.

### **How many Essential Caregivers can visit at one time?**

Answer: Facilities that have offered a complete series of one- or two-dose vaccine may allow up to two essential caregivers to visit a resident at the same time.

Facilities that have not offered a complete series of one- or two-dose vaccine may allow only one essential caregiver to visit a resident at a time.

### **What is the difference between an essential caregiver and a personal visitor?**

There are a few differences between the essential caregiver and a personal visitor. Only two people can be designated by a resident as the resident's essential caregivers. An essential caregiver is trained in the infection control

policies and procedures of the facility and has entered into a written agreement confirming that the essential caregiver understands and agrees to follow applicable policies, procedures, and requirements. An essential caregiver is also specifically trained on proper PPE usage.

A personal visitor is not necessarily trained in infection control protocol and does not have to sign an agreement to abide by the facilities policies and procedures. Also, a personal visitor can only visit a resident with a COVID-19 negative status.

An essential caregiver can visit a resident if the resident is COVID negative, positive, or of unknown status.

**Do all visitors have to maintain physical distance from their loved ones?**

Answer: For facilities that have offered a complete vaccine series, a resident may choose to have close or personal contact with the resident's visitor during the visit. The visitor must maintain physical distancing between themselves and all other persons in the facility.

Residents in facilities that have not offered a complete series of one- or two-dose vaccine must still maintain physical distancing.

**When a facility allows personal visitation in the resident's room, is there a limit to the number of people that may be included?**

Answer: Each party of visitors (no matter how many personal visitors end up visiting with the resident) is considered a "group," and as long as the members of the group maintain physical distancing of at least six feet from other groups, staff, and residents, they need not maintain physical distancing from each other. Additionally, members of the group need not maintain physical distancing from the resident they are visiting. So, limits on the size of groups would depend upon a number of factors including the size and configuration of the room.

**With the time limit on visits removed from the rules, why does a facility still need to schedule the visits?**

Answer: A facility will need to know how long a visit will be to schedule staff to clean the area for the next visitation appointment.

**Does the visitation by the essential caregiver have to be in the resident's room?**

Answer: No, but the facility should try to honor the choice of the resident if possible. The visit could be in a designated common area if physical distancing is maintained between the resident's visitors and everyone else in the facility.

**If the COVID vaccines were "offered" but not accepted by residents, does our facility meet the criteria of having "offered" the vaccine?**

Answer: Residents or staff do not have to accept the vaccine. No one can be discriminated against for not taking the vaccine. The facility must document that staff and residents have been offered the vaccine and whether they chose to obtain it or not.

**Is there an age limit to visitors?**

Answer: No; however, visitors must not be allowed to visit if they are not old enough to tolerate a mask. In addition, a designated essential caregiver must be at least 18 years old.

**If we admit a new resident, would we lose eligibility for the less restrictive rules?**

Answer: No, but the facility needs to promptly document that the new resident was offered the vaccination and the resident's decision to have the vaccine or not.

**Are the residents and or visitors required to wear masks?**

Answer: Yes, the visitor must wear a facemask throughout the visit. The resident must do the same (if tolerated) but may remove their mask to eat and drink during the visit. If the resident does not tolerate wearing a mask, it must be documented in the service plan.

**Can a facility require a negative COVID-19 test as part of the screening for entry into the facility?**

Answer: A facility must not require a visitor to provide documentation of a COVID-19 negative test or COVID-19 vaccination status as a condition of visitation or entry to the facility.

**Are essential caregiver and salon visitor's badges still required?**

Answer: No. The badge requirement is no longer in rule.

### **What is the latest guidance regarding in-person tours in facilities?**

Answer: A facility that meets the requirements in rule for permitting indoor visitation may allow in-person tours. In order to provide in-person tours, a facility must:

- have no outbreak or only very limited outbreak;
- have effective cohorting;
- screen all visitors;
- limit in-person tours to COVID negative areas of the building;
- ensure all visitors wear a facemask or face covering at all times when in the facility and on facility grounds;
- ensure all visitors perform proper hand hygiene before and after the tour;
- ensure all visitors maintain physical distancing between themselves and all staff, residents, and other visitors; and
- limit visitors for in-person tours to not more than three persons in a party - the prospective resident and no more than two people the prospective resident has chosen to accompany him or her.

### **Are there any differences in symptoms between COVID infection and seasonal allergies?**

Answer: Yes. COVID-19 and seasonal allergies share many symptoms, but there are key differences between the two. The image in the diagram below compares symptoms caused by seasonal allergies and those caused by COVID-19. Use of this diagram may be helpful when screening people entering a facility. Also keep in mind that people with seasonal allergies often have a history of seasonal allergies, and this is something you may want to ask them about when screening. In some cases, it may be difficult to tell the difference between allergies and COVID-19 symptoms, and a person may need to get a COVID-19 test to confirm the person's diagnosis.

