

GUIDANCE REGARDING EO 20-24 (ADULT CARE HOMES)

TITLE: Licensure, Certification, and Registration for persons and Licensure of “Adult Care Homes” during public health emergency

DATE: April 15, 2020

TO: County Emergency Managers; County Health Administrators

FROM: Kansas Division of Emergency Management

This guidance is offered by KDEM for the benefit of emergency managers, health officers, law enforcement, affected businesses, and individual Kansas citizens.

Background:

Because adult care homes regularly undergo licensing visits and inspections that require approval and collaboration from various state agencies, and the current licensing structure would detrimentally impact the ability of these facilities to maintain social distancing requirements, this EO suspends those inspections.

The suspension of these inspections is based up guidance issued by the Centers for Medicare and Medicaid Services (CMS) for adult care homes to close down all unnecessary visitation and set forth very specific guidelines for adult care homes regarding who are authorized visitors and what gatherings and activities can occur in a facility to try to minimize the spread of COVID.

Additionally, the EO provides temporary licenses to individuals who were previously licensed to work in adult care homes so long as the individual was in good standing prior to their license expiring or lapsing.

What the EO Does:

- All state agencies that perform regulatory or licensure oversight of adult care homes are to suspend those inspections of the facilities and grant extended renewal deadlines.
- All suspended licensure activities shall resume 90 days after the termination of the disaster declaration.
- Individuals who previously held a license or certificate to work in an adult care home may be issued a temporary license to work in these facilities during the COVID-19 pandemic subject to the following restrictions:
 - They were in good standing prior to their license expiring or lapsing; and

- The prior issued license, certificate, or registration may not have been issued more than five years from the date of this order.
- The EO also provides greater flexibility in transfer and discharge protocols of adult care home residents along with any notification requirements to prevent the transmission of COVID-19.