



May 27, 2020

Dear Commissioner Malcolm:

As we discussed briefly at the end of last week, Leading Age Minnesota and Care Providers of Minnesota are seeking a meeting of key stakeholders to ensure that we have the right procedures in place to address two critical priorities for the continued care needs of COVID-19 positive Minnesotans:

1. **The safety of our at-risk population in long-term care settings; and**
2. **The step-down care needs of our hospitals as they manage greater demand for ICU and other beds.**

We know as COVID-19 continues to spread in our state, the State of Minnesota must remain diligent in its aggressive actions to respond to this pandemic with specific goals of decreasing transmission of the virus and ensuring those afflicted by it receive the appropriate care in the most appropriate setting. As we have seen in other states, the lack of a widely accepted protocol can impact the safety of vulnerable adults as well as reduce confidence in the state's health care strategies.

As the state continues to experience growth in the number of COVID cases, we are seeing greater utilization of general hospital beds and ICU beds. As a result, an increasing number of COVID-19 positive individuals are being discharged from hospitals to either designated COVID-19 support sites or long-term care settings in Minnesota. Still others are waiting for a discharge location to become available. While the expanded use of hospital swing beds recently announced by MDH may help address some of the expected increase in these discharges, we all know there are limitations with that option.

At the same time we are experiencing the need for additional beds and rooms for hospital discharges, we also see increased concerns from key stakeholders—family advocates and legislators—wondering why long-term care facilities (nursing homes and assisted living) are admitting COVID-19 positive individuals in their settings. In most cases, the admissions are intentional and person-centered, following established health procedures. In other cases, the admitted individuals could be asymptomatic at the time of admission. But stakeholders understandably want more information about these care decisions, particularly if a COVID-19 positive person is admitted into a facility without any known active cases.

For some COVID positive patients discharging from hospitalization, long-term care settings *may* be the most appropriate location – **but only so long as they can recover in isolation in locations that have COVID-19 dedicated teams who are equipped with appropriate testing, personal protective equipment and trained on enhanced infection control protocols.** These decisions must be made

based on the care needs of the patient, the capacity of the building for isolation and the protection of other residents and the health care staff.

**As we prepare to deal with the anticipated surge and address the concerns from the public and key stakeholders regarding the safety of elders in long-term care facilities, we ask you to convene key decision-makers from the State Emergency Operations Center, Minnesota Department of Health, the Department of Human Services, the Minnesota Hospital Association, Care Providers of Minnesota and LeadingAge Minnesota, and the Office of Ombudsman for Long Term Care. This group should evaluate the current admissions and discharge strategies and determine their efficacy, need and whether they best protect the most vulnerable from this deadly virus. As soon as possible, this group should recommend changes in procedures that will help protect more vulnerable Minnesotans and care staff from the risk of transmission.**

Finally, it is critical that we communicate the state's plan broadly, so the public and families understand that steps are being taken to protect caregivers and vulnerable seniors while we are helping others recover from this dangerous virus.



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Cc: SEOC Director Joe Kelly  
Senate Majority Leader Paul Gazelka  
Senate Minority Leader Susan Kent  
Speaker of the House Melissa Hortmann  
House Minority Leader Kurt Daudt  
DHS Commissioner Jodi Harpstead