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**TITLE 216 – DEPARTMENT OF HEALTH**

**CHAPTER 40 – PROFESSIONAL LICENSING AND FACILITY REGULATION**

**SUBCHAPTER 10 - FACILITIES REGULATION**

**PART 27 – Long-Term Care Facility COVID-19 Procedures**

**27.1 Authority**

These regulations are promulgated pursuant to the authority conferred under R.I. Gen. Laws §§ 23-1-1, 23-17-10 and 23-17.4-10 and are established for the purpose of establishing COVID-19 procedures for long-term care facility personnel, residents, visitors and essential caregivers.

**27.2 Definitions**

A. Wherever used in this Part the following terms shall be construed as follows:

1. "COVID-19" means the disease caused by novel coronavirus SARS-CoV-2 and its variants.
2. "Declaration of disaster emergency" means a disaster emergency declared by the Governor pursuant to R.I. Gen. Laws § 30-15-9.
3. "Department" or "RIDOH" means the Rhode Island Department of Health.
4. "Direct resident contact" means, as used herein, any routinely anticipated face-to-face interaction with a resident of a long-term care facility.
5. "Essential caregiver" means an individual whether family member or friend of a resident of a long-term care facility, who is designated by the resident or appointed by an individual with decision-making authority for the resident, to provide physical or emotional support to the resident during a declaration of disaster emergency.
6. "Long-term care facility" or "facility" means and includes assisted living residences licensed under R.I. Gen. Laws Chapter 23-17.4 and nursing facilities licensed under the provisions of R.I. Gen. Laws Chapter 23-17.
7. "Mask" or "Masking" means the wearing of a cloth or paper mask. At a minimum, masks shall:
  - a. Cover nose and mouth and be secured under the chin;

- b. Fit snugly against the side of one's face with no gaps; and
  - c. Not have exhalation valves or vents.
- 8. "Personnel" means employees as well as volunteers, students, trainees, and any individuals, whether paid or unpaid, directly employed by or under contract with the long-term care facility on a part time or full-time basis.
- 9. "Proof of Vaccination" means an official immunization card, health record, and/or paper/electronic documentation of receiving all doses as recommended by the Center for Disease Control and Prevention (CDC) and authorized by the U.S. Food and Drug Administration (FDA) or World Health Organization (WHO) or all recommended dose(s) of another COVID-19 vaccine approved by the Department (e.g., Novavax).
- 10. "Vaccinated" means a person has received all dose(s) of a COVID-19 vaccine recommended by the CDC and authorized by the FDA or WHO or all recommended dose(s) of another COVID-19 vaccine approved by the Department (e.g., Novavax).
- 11. "Visitor" means and includes family members, friends, or other persons who visit or otherwise assisted the care of a resident in a long-term care facility. "Visitors" also includes persons who enter the long-term care facility and have direct resident contact.

### **27.3 COVID-19 Practices and Procedures**

- A. Nursing facilities must test personnel and residents in accordance with § 1.13.7 of this Subchapter.
- B. Assisted living residences must test personnel and residents in accordance with § 2.4.31 of this Subchapter.

### **27.4 COVID-19 Vaccination Monitoring and Reporting**

Each long-term care facility shall ensure their personnel are vaccinated for COVID-19 in accordance with Part 20-15-8 of this Title and § 2.4.31(C) of this Subchapter.

### **27.5 Proof of Vaccination or Testing for Visitors**

- A. Prior to entering a long-term care facility, a visitor/essential caregiver must either:
  - 1. Provide proof of vaccination against COVID-19; or
    - a. With permission of visitors/essential caregivers, the long-term care facility may maintain the visitor/essential caregiver's proof of COVID-19 vaccination such that visitors/essential caregivers do not

have to provide proof of vaccination against COVID-19 upon successive visits. The facility must take reasonable efforts to maintain the confidentiality of this information for the benefit of visitors/essential caregivers.

2. Provide paper or electronic proof of a negative COVID-19 test result from either:
  - a. A rapid antigen test (e.g., BinaxNOW) completed within the previous forty-eight (48) hours; or
  - b. A polymerase chain reaction (PCR) test completed within the previous seventy-two (72) hours.
- B. Long term care facilities shall deny entrance to any visitors/essential caregivers who do not show proof of vaccination or a negative test result against COVID-19, as set forth in § 27.5 of this Part.
- C. Prior to entering a long-term care facility and at all times until exiting the premises, a visitor/essential caregiver must be masked, regardless of vaccination status, and must keep the mask on throughout the duration of the visit with the resident. The facility shall deny entrance to any visitor/essential caregiver who refuses to do so, subject to the following exceptions:
  1. Visitors under two (2) years of age; or
  2. Visitors/essential caregivers having a medical condition, mental health condition, or a disability that prevents wearing a mask.
- D. Each long-term care facility must post signage for masking and either negative test, and/or proof of visitor/essential caregiver vaccination at all entrances to the residence. Examples of such signage are available here:
  1. <https://health.ri.gov/publications/posters/Masks-Required.pdf>
  2. <https://health.ri.gov/publications/posters/Proof-of-Vaccination-Required.pdf>
- E. If a long-term care facility posts its own signage, at a minimum, such a signage must state in bold-print, one of the following
  1. MASKS ARE REQUIRED IN THIS FACILITY; and
  2. PROOF OF COVID-19 VACCINATION OR A NEGATIVE COVID-19 TEST RESULT IS REQUIRED IN THIS FACILITY.