

Senator Karin Housley

Assistant Majority Leader
Proudly representing District 39



3217 Minnesota Senate Building
95 University Avenue West
Saint Paul, MN 55155
(651) 296-4351 - sen.karin.housley@senate.mn

May 20, 2020

The Honorable Tim Walz
Governor of Minnesota
State Capitol Room 130
75 Rev. Dr. Martin Luther King, Jr. Blvd
Saint Paul, MN 55155

via electronic delivery

Dear Governor Walz:

On May 6, I wrote the commissioner to offer suggestions for immediate action to protect Minnesotans living in long-term care facilities. At the time of my letter, approximately 80 percent (367 of 455) of COVID-19 fatalities in Minnesota were among residents of long-term care facilities. At the time of this letter, that figure has grown to more than 81 percent (634 of 777). In fact, since the first COVID-19 death was reported on March 21, long-term care residents have accounted for a majority of deaths nearly every day.

I have tried to sound the alarm again and again about what I believe is a major crisis in long-term care settings. I applauded the 'five-point plan' you released on May 2 and was pleased to see the plan included many of the proposals I recommended to the commissioner. Unfortunately, 19 days later, we have seen few indicators the trend is reversing.

For months, our state's focus has been on making sure hospitals are ready to handle a surge in COVID-19 patients. As we prepared for a public health crisis similar to what New York was experiencing, it came at the expense of long-term care facilities, where the vast majority of our fatalities are occurring. Facilities have serious concerns about personal protective equipment (PPE) and other critical care supplies. They were told they will not receive N95 respirators from the state stockpile and are experiencing a critical shortage of gowns.

Governor, I am pleading with you to take immediate, decisive action to reverse this deadly trend.

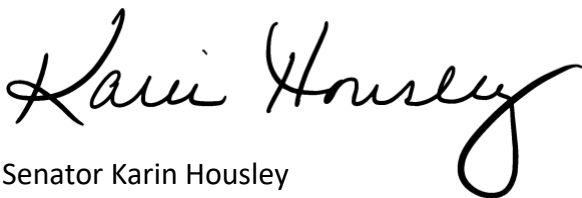
In consultation with experts in long-term care, I respectfully request the administration consider the following:

- Right now, there are inconsistent policies for accepting residents back to long-term care facilities, including skilled nursing facilities, assisted living facilities, and transitional care units, after acute hospital stays. MDH must implement clear, consistent guidelines for testing, care, and transfers.
- The Department of Health has issued inconsistent and unrealistic regarding testing staff and residents. To address this, the State must ensure logistics and capacity issues are addressed prior to recommending strategies. The State should consider drive-through testing sites specifically for long-term care staff, including a process for communicating those results to employers.

- There are significant issues with the supply chain. The data and capacity from commercial and private labs, as well as the data and experiences observed by private practice physicians and commercial labs, are not included in state reporting. We must coordinate roundtable discussions, including with health systems, private labs, and on-site physician groups, to better coordinate resources and planning. Long-term care facilities have been told by the State of Minnesota that they will not receive N95 respirator masks and the facilities are experiencing a severe shortage of gowns.
- Assisted living facilities are reluctant to test staff due to insurance issues as the responsibility for lab payment is unclear in Minnesota. We must implement clear and immediate guidelines for how long-term care facilities will be reimbursed for testing of staff, regardless of which lab is utilized.
- Labs and health system are charging courier fees to long-term care facilities for each test ordered, creating a cost barrier to testing. There needs to be a policy for labs and health systems to recoup costs associated with the logistics of testing, including swab delivery and pickup.
- There has been a lack of inclusion of onsite practices, which care for the majority of long-term care residents in Minnesota, in planning and policymaking. We must include experts from the Minnesota Association of Geriatric Inspired Clinician (MAGIC) and other geriatric practices in planning for the care of patients with COVID-19. Additionally, assisted living facilities have unique issues, including a high level of ancillary staff. Instead of top-down guidance, we must engage the experts in this area on the unique aspects of assisted living.
- Patients in memory care units are difficult to isolate due to wandering and other erratic behavior associated with the disease. We must establish units and/or facilities specifically for dementia patients that test positive for COVID-19.

While the legislature is adjourned, I urge you to consider using the federal and state funds allocated for the COVID-19 response to long-term care facilities or calling the legislature into special session to consider other action. My colleagues and I stand ready to partner with you on solutions that require legislative approval.

Respectfully,

A handwritten signature in black ink that reads "Karin Housley". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Senator Karin Housley
District 39

cc: Ms. Jan Malcolm, commissioner, Minnesota Department of Health
Mr. Chris Schmitter, deputy chief of staff, Office of Governor Tim Walz
Ms. Lisa Thimjon, interim legislative director, Minnesota Department of Health