

Senator Karin Housley

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June 4, 2020

Ms. Jan Malcolm, Commissioner
Minnesota Department of Health
625 N. Robert Street
75 Rev. Dr. Martin Luther King, Jr. Blvd
Saint Paul, MN 55155-2538

via electronic delivery

Dear Commissioner Malcolm:

First, thank you for participating in the hearing of the Senate Family Care and Aging Committee on June 2. I appreciate the work of you and your staff at the Minnesota Department of Health (MDH).

During the course of the COVID-19 pandemic, members of this committee and I have taken an active role in confronting this crisis. Yet, I have received little indication to suggest the administration views the situation in long-term care as a priority. In prior phone calls and email messages, and again publicly at Tuesday's hearing, several members of the committee, including myself, expressed serious concerns at the lack of responsiveness and detailed information coming from the administration. Disappointingly, our requests were met with more vague responses and promises of emailed data (which we still have not received) than useful information.

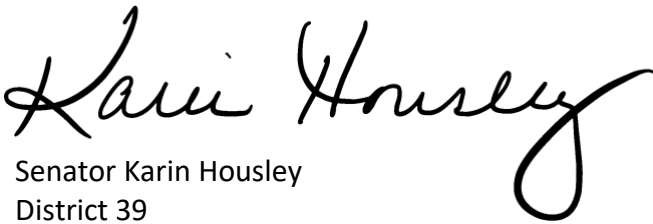
On April 2, I sent a letter to MDH regarding the state's previous policy of withholding the names and locations of long-term care facilities with confirmed COVID-19 cases. Several days later, MDH indeed released a public list of facilities with at least one confirmed positive case of COVID-19, if the facility has ten or more beds. My request under the Minnesota Government Data Practices Act was not withdrawn, but I have not yet received a response. On April 28, May 6, May 20, and May 28, I also sent letters outlining policy recommendations and asking for more information.

I have included a series of specific questions to which I request responses no later than Friday, June 5 at 5:00 p.m. The responses should include as much detail and specific information as possible. If the committee does not receive a satisfactory response by Friday night, we are prepared to pursue a legislative subpoena under Minnesota Statutes 3.153 at a meeting next week.

1. How many *active* COVID-19 cases are present in each Minnesota county? Please provide a specific breakdown by county.
2. How many confirmed positive cases of COVID-19 have occurred at each long-term care facility in Minnesota? Please include a specific breakdown of cases by facility.
3. How many COVID-19 deaths have occurred at each long-term care facility in Minnesota? Please include a specific breakdown of deaths by facility.

4. How many COVID-19 cases and deaths have occurred in each type of long-term care setting, including skilled nursing facilities and assisted living facilities? Please provide a specific breakdown by facility.
5. Since March, how many COVID-positive patients have been discharged from hospitals to long-term care settings? What are the locations of those facilities? Please provide a specific breakdown.
6. Which facilities have been designated by MDH and/or the State Emergency Operations Center (SEOC) as 'COVID Support Sites'? Please include the name and location of each facility.
7. What are the processes by which MDH chooses long-term care facilities to undergo COVID-19 testing?
8. What is the department's plan to complete universal testing of all residents and staff at all of the 1,700+ long-term care facilities in Minnesota? Specifically, what is the department's timeline, how often will residents and staff be tested, and who will pay for the testing?
9. Specifically, which portions of the governor's 'five-point battle plan' have been implemented beyond having 'discussions' and 'conversations'?
10. Specifically, what guidelines have been developed by MDH to ensure adequate staffing levels at all long-term care facilities? Are those guidelines fully implemented?
11. How is MDH prioritizing who has the ability to receive personal protective equipment (PPE) via the state's stockpile? Please include the department's specific guidelines and/or policies in this area.
12. Specifically, how many requests for PPE have been made by long-term care facilities to MDH? Of those requests, how many were fulfilled? How much PPE is going to each facility? Please provide a specific breakdown, including the locations to which PPE has been distributed and the volume of PPE sent.
13. What are the results of MDH's inspections of long-term and congregate care facilities? How many facilities are non-compliant on MDH's infection control standards?
14. How many individual remains are stored in the warehouse facility purchased by the State of Minnesota for \$6.9 million on May 19?
15. What, if any, guidance is being considered and/or drafted for residents to receive visitors?
16. What, if any, guidelines are being considered and/or drafted for on-site beautician services?
17. What are MDH's guidelines for furniture in public space in long-term care settings?

Respectfully,



Senator Karin Housley

District 39

Chair, Senate Family Care & Aging Committee

cc: Ms. Margaret Kelly, deputy commissioner, Minnesota Department of Health
Ms. Marie Dotseth, assistant commissioner, Minnesota Department of Health
Mr. Daniel Huff, assistant commissioner, Minnesota Department of Health
Mr. Dan Pollock, assistant commissioner, Minnesota Department of Human Services
Ms. Lisa Thimjon, interim legislative director, Minnesota Department of Health
Mr. Chris Schmitter, chief of staff, Office of Governor Tim Walz