October 24, 2020

Dear Parents, Family Caregivers and Friends,

The following guidance documents, which are linked to this message in a combined file, were released on October 23, 2020.

**NEW PROGRAM CLOSURE GUIDANCE:** Last evening, OPWDD issued guidance regarding the suspension and reduction of services in red and orange cluster zones, which are designated as COVID hot spots by the State of New York. OPWDD will be notifying affected providers who will in turn be responsible for notifying affected individuals, families, and Care Managers/CCOs. These mandated suspensions and reductions are effective as of Sunday afternoon, October 25th. It should be expected that these closures and suspensions may shift frequently as the data drives adding or removing the cluster zone designation.

**NEW VISITATION GUIDANCE:** Similarly, the NYS Department of Health has issued new guidance regarding visitation to congregate care settings located in cluster zones, including those settings run, licensed or regulated by OPWDD. In an **IMPORTANT CLARIFICATION**, we have been advised that the exceptions listed in this guidance document apply **ONLY** to Department of Health licensed facilities, for example hospitals. This is consistent with the visitation guidance that was previously in effect during the height of the coronavirus outbreak. We have encouraged OPWDD to seek written clarification of this from the NYS Department of Health. Again, where these visitation restrictions are required, they will go into effect tomorrow, Sunday, October 25th at 3 pm.

Parent to Parent of NYS recognizes the importance of reducing a full second wave, while also being aware of the significant impact program closures, visitation restrictions, and inconsistent communication and implementation regarding the same have on families and the individuals we love. We appreciate OPWDD’s attempt to ease the communication difficulties by including Parent to Parent of NYS on periodic calls addressing the COVID-19 response, including a call today during which these new guidance documents were reviewed. We also appreciate the work of providers who have needed to pivot numerous times to respond to public health concerns in an environment that is further challenged by fiscal stress and uncertainty.

That all said, we know families will face their own challenges and concerns amidst this latest round of restrictions, reductions and closures. As always, our focus is on **YOU**! If you have questions or concerns, please reach out to your local Parent to Parent staff. We will do our best to get answers and/or have your situation elevated and brought to the attention of local, regional and state decision makers. We rely on your stories to be able to bring back challenges (and stories of what is working well) to help improve our service system for all. We know that while the public health crisis is currently paramount, we don’t want to lose all the ground that has been gained over many long years of advocacy in ensuring the rights and full inclusion of those we love, a robust and person-centered system of care, and continued support for family caregivers.

Sincerely,

[Signature]

Michele Juda
Executive Director

"Connecting and Supporting Families of Individuals with Disabilities and Special Health Care Needs"
October 23, 2020

Interim COVID-19 Guidance: Designated Cluster Mitigation and Oversight

The Governor and the NYS Department of Health (DOH) have begun to identify geographic areas with higher than average rates of COVID-19 transmission, referred to as “hot spots,” “clusters,” and “micro clusters.” The risk of transmission is characterized by three colors (red, orange and yellow) and the level of mitigation management is increased as geographic areas demonstrate higher rates of infection and move along the continuum from yellow to orange to red.

Programs and facilities certified or operated by the Office for People With Developmental Disabilities (OPWDD), located within such designated geographic areas, will immediately be subject to the following additional mitigation and oversight measures. These restrictions are required in addition to all other applicable OPWDD COVID-19 guidance.

1. Provider Notification

Upon designation by the Governor of a geographic COVID-19 cluster, or upon the change of any such designation, OPWDD will notify providers operating programs within the designated area to ensure that the provider is aware of the high rate designation and is taking all appropriate precautions. This notification will be made as part of OPWDD’s risk stratified enhanced oversight as well as review of any previous COVID visits to determine the need for any oversight actions required for that program.

2. Enhanced Testing

All providers offering services within a designated area of concern will be required to refer staff and individuals served for COVID-19 testing on a weekly basis and to strongly encourage/facilitate such testing. The use of rapid molecular tests (i.e. the Abbott ID NOW) may be considered when testing individuals and/or staff associated with congregate settings such as group homes and day programs, in addition to lab-based molecular testing. More information regarding the interim recommendations for use of molecular testing during the COVID-19 public health emergency is available at: https://coronavirus.health.ny.gov/covid-19-testing.

All positive testing results are required to be reported to OPWDD using the Incident Report and Management Application (IRMA).

3. Program Suspension/Reduction

In those geographic areas with the highest rate of transmission (designated as a “red” or “orange” geographic cluster), site-based day services will be temporarily suspended. Community-based group services in those same geographic regions will be temporarily
reduced in capacity. Capacity reductions are inclusive of individuals receiving services and staff needed to operate such programs.

Restrictions will continue, consistent with the NYS DOH closure restrictions for businesses, until the red or orange designation from the geographic area is modified. Programs contained within the yellow designated areas may continue to operate but weekly testing is highly encouraged. In cases where an individual resides in a certified residential program and attends certified day services, the residential provider should be responsible for referring the individual for testing in order to avoid duplicative testing.

The scope of enhanced testing and program suspensions/reduction is summarized in the following tables:

<table>
<thead>
<tr>
<th>Type of Activity</th>
<th>RED</th>
<th>ORANGE</th>
<th>YELLOW</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified Site-Based Day Services</strong></td>
<td>SUSPENDED</td>
<td>SUSPENDED</td>
<td>OPEN</td>
</tr>
<tr>
<td>(day habilitation, site-based prevocational services, site-based respite, pathway to employment)</td>
<td></td>
<td></td>
<td>-In compliance with OPWDD’s Interim Guidance for Day Services Reopening and the Day Program Reopening Safety Plans</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>-Weekly Testing Recommended</td>
</tr>
<tr>
<td><strong>Group Non-Site-Based Services</strong></td>
<td>SUSPENDED</td>
<td>OPEN</td>
<td>OPEN</td>
</tr>
<tr>
<td>(day habilitation without walls, community based prevocational services, non-site-based respite, community habilitation-group, supported employment-group)</td>
<td></td>
<td></td>
<td>-In compliance with OPWDD’s Interim Guidance for Day Services Reopening and the Day Program Reopening Safety Plans</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>-Weekly Testing Recommended</td>
</tr>
<tr>
<td>Non-Group Non-Site-Based Services</td>
<td>OPEN</td>
<td>OPEN</td>
<td>OPEN</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>(services provided to 1-3 individuals: community habilitation, respite, employment training, SEMP, community based prevocational services)</td>
<td>-2 Person capacity (inclusive of individuals and staff) -Weekly Testing Recommended</td>
<td>-4 Person capacity (inclusive of individuals and staff) -Weekly Testing Recommended</td>
<td>Weekly Testing Recommended</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential</th>
<th>OPEN</th>
<th>OPEN</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>(certified residences, free standing respite, day services and community habilitation being temporarily delivered in a certified residence)</td>
<td>-visitation suspended -Weekly Testing Recommended</td>
<td>-visitation based on COVID status of home -Weekly Testing Recommended</td>
<td>Weekly Testing Recommended</td>
</tr>
</tbody>
</table>

4. Visitation Suspension

Visitation to OPWDD certified residential facilities within the designated geographic clusters will be suspended in accordance with the DOH health advisory, *All Residential Congregate Facilities*, issued on October 23, 2020.
Background
Since the onset of the COVID-19 public health emergency, New York State has relied on data and metrics, science, and public health expertise to make all decisions impacting public health. With the fall and winter approaching, Governor Cuomo has introduced a new data-based strategy of aggressively responding to micro-clusters in order to limit COVID-19 spread via the Cluster Action Initiative.

With one of the lowest baseline rates of COVID-19 transmission in the country, New York has the opportunity to identify and limit spread of COVID-19 by addressing “micro-clusters,” which are outbreaks of new cases within a limited and definable geographic area.

This Initiative focuses response in defined geographic areas, thereby addressing transmission on a focused basis and preventing broader viral transmission that would result in widespread economic shutdowns. Areas that meet metrics demonstrating substantial COVID-19 spread may be designated either a Red Micro-Cluster Zone, an Orange Warning Zone, or a Yellow Precautionary Zone.

On October 9, 2020, Governor Andrew M. Cuomo issued EO No. 202.68 which, among other things, established red, orange, and yellow zones and imposed restrictions and limitations on non-essential gatherings, participant occupancy in houses of worship, indoor/outdoor dining, and in-person schools within these zones.

Purpose
The purpose of this guidance is to inform operators of congregate facilities, including state or local agencies, or not for profit service providers of limitations on visitation in residential congregate settings located in “red” and “orange” zones subject to Cluster Action Initiative restrictions as established pursuant to Executive Order (EO) No. 202.68. In order to ensure safety of residents and staff of facilities housing congregate populations, these visitation restrictions shall be effective at 3 pm on Sunday, October 25, 2020, and shall remain in effect the duration a facility remains in such zone. Unless superseded by this guidance, all other state agency guidance and policies with respect to visitation remain in effect.

Residential congregate facilities for purposes of this guidance include:
- Nursing homes
- Adult care facilities and Adult homes
• Pediatric skilled nursing facilities
• Facilities for individuals with developmental disabilities (OPWDD run, licensed or regulated homes)
• Facilities for individuals affected by substance use (OASAS run, licensed, or regulated facilities)
• Facilities for individuals in receipt of mental health services (OMH run, licensed or regulated facilities)
• Residential treatment centers (OCFS run, licensed, or regulated facilities)
• Juvenile justice facilities
• Hospitals
• Correctional facilities

Effective immediately, in red and orange zones, congregate residential facilities must limit visitation in accordance with the following guidance:

**Red Zones**

All visitation is suspended in residential congregate facilities located in red zones, except for in the following instances: compassionate care (including end of life/hospice situations), medically or clinically necessary (i.e. visitor is essential to the care of the patient), accompanying a minor in a pediatric facility, labor/delivery/post-partum care, necessary legal representatives, and essential companions to individuals with intellectual and/or developmental disabilities or with cognitive impairments, including dementia.

**Orange Zones**

Visitation shall be suspended at a residential congregate facility in an orange zone if a staff member or resident in the facility has tested positive for COVID-19 in the last 14 days, except for in the following instances: compassionate care (including end of life/hospice situations), medically or clinically necessary (i.e. visitor is essential to the care of the patient), accompanying a minor in a pediatric facility, labor/delivery/post-partum care, necessary legal representatives, and essential companions to individuals with intellectual and/or developmental disabilities or with cognitive impairments, including dementia.

This supersedes other local health department orders which may impact visitation in these zones.

Thank you for your ongoing support and cooperation in responding to COVID-19 concerns. For more information visit [https://coronavirus.health.ny.gov/home](https://coronavirus.health.ny.gov/home).