

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Licensing and Certification
11 State House Station
41 Anthony Avenue
Augusta, Maine 04333-0011
Tel.: (207) 287-9300; Toll Free: (800) 791-4080
TTY: Dial 711 (Maine Relay); Fax: (207) 287-5815

April 24, 2020

To: All Long-Term Care and Assisted Housing Facilities
Re: Personal Protective Equipment:

I. Personal Protective Equipment (PPE) CDC training & use clarifications:

In an effort to assist providers and provide clarity regarding Personal Protective Equipment (PPE) expectations during this crisis, we are providing the following guidance for clarity. Long Term Care facilities such as Nursing Homes, Assisted Housing facilities (Assisted Living, Residential Care, and Private Non-Medical Institutions), and homes for Individuals with Intellectual Disabilities that have known or symptomatic COVID-19 positive residents should be using PPE consistent with CDC guidelines.

First and foremost, it cannot be stressed enough that facilities should consult the CDC web site for information on a ***daily*** basis: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/long-term-care.html> . Facilities should consider assigning the task of daily monitoring of this site to whomever they designate as their infection control lead.

Currently, this site includes many links to extremely useful information on the use of PPE, including guidance on who needs PPE, how to put on and take off PPE correctly (with printable fact sheets and posters to display in facilities as reminders to staff), and a link to a recorded webinar on preparing nursing homes and assisted living facilities for COVID-19 <https://www.youtube.com/watch?v=p1FiVFx5O78> .

II. PPE Regulatory compliance

The CDC's site (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/long-term-care.html>) also provides clarity about the use of face masks (such as surgical masks) and cloth face coverings.

The recommendation is that facilities establish an aggressive source control program. This includes using face coverings and PPE in a progressive manner consistent with the risk of exposure:

- for staff members who are *not involved in direct patient care* (such as maintenance, administrative, and clerical staff who are not in resident rooms) cloth face coverings at a minimum, should be worn throughout the facility;
- health care personnel who provide hands-on care (such as nurses and CNAs) and those completing tasks (such as medication administration and feeding residents) which require them to be within 6 feet of residents ***who are asymptomatic or who have tested negative for COVID-19*** should at a minimum use a face mask (such as a surgical mask) at all times within the facility.

- health care personnel who provide hands-on care (such as nurses and CNAs) and those completing tasks which require them to be within 6 feet of residents (but not tasks such as feeding, or other tasks in which there is a reasonable risk of droplet exposure) **who are symptomatic or who have tested positive** for Covid-19, should use an N95 respirator mask when within 6 feet of these residents.
- any facility staff who are **feeding or providing care in which there is a reasonable risk of droplet exposure** for a resident who is **symptomatic or has tested positive** for Covid-19 should be wearing all appropriate PPE including face shields, goggles, gowns, and gloves, in addition to a N95 respirator.

If a facility does not have N95 respirators, or has not completed its respiratory protection program, then N95 masks cannot be used, and staff must use face masks (surgical, not cloth) and eye protection.

N-95 OSHA requirements: The federal Occupational Safety and Health Administration (“OSHA”) requires that:

- 1) the facility has a respiratory protection program in place, and
- 2) that all employees who are expected to wear an N95 mask have a medical screening for fitness to use and
- 3) that all employees be fit-tested to ensure the N-95 mask fits the employee appropriately, to afford the required protection.

Please note this is not a State Licensing or CDC, requirement. Therefore, there is no authority for either agency to waive this requirement.

We are providing this information to ensure you are aware both of the OSHA requirement, and the resources available to you to comply with this requirement:

1. The CDC and NIOSH provide a guide that can be tailored to the current need at: <https://www.cdc.gov/niosh/docs/99-143/pdfs/99-143.pdf?id=10.26616/NIOSH PUB99143>
2. The United States Department of Labor: <https://www.osha.gov/memos/2020-03-14/temporary-enforcement-guidance-healthcare-respiratory-protection-annual-fit>

III. PPE resources and requisition process

Due to the limited availability and scarcity of PPE supplies, the CDC has provided guidance to optimize PPE inventories. All facilities are requested to adjust any requests to the Maine CDC for PPE assistance to coincide with anticipated depletion of their own facility PPE resources (including any applicable corporate/parent company PPE resources). Facilities should make every effort to obtain PPE on their own from vendors and other affiliates before seeking supplies from the CDC. Facilities that need assistance with PPE supplies after all other avenues have been exhausted need to utilize their County Emergency Management Agency (EMA) Directors to request additional PPE resources. Requests can be emailed directly to the County EMA Director. A list of County EMA Directors can be found at: <https://www.maine.gov/mema/ema-community/county-local/county-emergency-management-agencies> .

Please note that the CDC Public Health Emergency Preparedness Division is working on a plan to provide facilities with assistance and guidance to address their respiratory readiness programs. This plan includes sending out qualified individuals to:

1. Review an agencies respiratory protection plan and assist with development and implementation for those who lack a respiratory protection plan.
2. Schedule and conduct fit testing for facility staff who need such testing.
3. Schedule and perform PPE training and education to include donning, doffing, and decontamination for reuse if applicable.

In order to save time and be able to receive the most benefit from this outreach, facilities are requested to have their employees who may need to utilize an N95 respirator mask to complete the OSHA respirator medical screening questionnaire (a copy can be obtained at: <https://www.osha.gov/Publications/OSHA3789info.pdf>) and have the medical screening done. A medical screening must be completed before step 2 (fit testing) can occur. Please email Steven Boucouvalas for information at: Steven.Boucouvalas@maine.gov .

Again, please monitor the CDC guidance at least daily as this continues to unfold and ensure that in addition to visitor restrictions as outlined in the CDC guidelines, facilities are keeping residents in the facility unless they must go out for an essential appointment as outlined in the Governor's Stay Healthy at Home order.

Please feel free to contact our office if there are questions regarding this notice.

Sincerely,

Bill Montejo, RN
Director, Division of Licensing & Certification

Cc: Dr. Siiri Bennett, MD, Maine CDC