

Janet T. Mills
Governor

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Commissioner



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March 12, 2020

To: All Long-Term Care and Assisted Housing Facilities

The division of Licensing and Certification has received numerous reports of Maine nursing homes and assisted living/residential care facilities that have implemented a strict no visitor policy in an effort to protect their residents. While we understand the intent to ensure the safety of residents and staff during this pandemic, we want to make sure that providers clearly understand the regulatory requirements.

It is a resident's right to have visitors and any restriction on this resident right that is being done with intent to protect the resident from this ongoing viral pandemic must be done consistent with the Maine and Federal Centers for Disease Control guidance.

This means that as of this morning, the guidance was to screen visitors and encourage delays in visitation if possible but not to totally bar all facility visitors. The barring a resident from his/her right to have family and loved ones visit can result in increased anxiety, depression, and psychosocial harm to the residents; as such, this measure should only be done in concert with CDC guidelines and recommendations.

Please note, that facilities may also subject our licensing staff to the same screen criteria that is applied to any visitor (as outlined in the CDC guidance) but facilities may not prohibit licensing or Adult Protective Services staff from entering their facilities to conduct investigations consistent with their regulatory and statutory authority.

Again, please monitor the CDC guidance at least daily as this continues to unfold and ensure that any restrictions to visitation being imposed are consistent with the CDC guidelines.

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

Sincerely,

A handwritten signature in black ink that reads "Bill Montejo".

Bill Montejo, RN
Director, Division of Licensing & Certification