



County of Santa Cruz

HEALTH SERVICES AGENCY

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Public Health Division

FURTHER ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SANTA CRUZ REGARDING VISITATION AT SKILLED NURSING FACILITIES AND RESIDENTIAL HEALTHCARE FACILITIES

Please read this order carefully. Violation of or failure to comply with this Order constitutes a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175 ET SEQ., AND 17 CCR 2501 THE HEALTH OFFICER OF THE COUNTY OF SANTA CRUZ (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the April 10, 2020 Further Order of The Health Officer of The County of Santa Cruz Directing Residential Healthcare Facilities to Restrict Access By All Non-Essential Persons. This Order shall be effective as of September 15, 2020, at 11:59 p.m. and shall continue to be in effect until the March 4, 2020 Proclamation of the Governor referenced in paragraph 14 is rescinded or until this Order is rescinded, superseded, or amended by the Health Officer in writing.
2. This order is being issued on the basis of scientific evidence and best practices as currently available to prevent the spread of the COVID-19 virus to the residents at healthcare facilities in the County of Santa Cruz (the “County”) and to prevent any further cases of COVID-19 from occurring at healthcare facilities in the County, in order to protect those residents from avoidable risk of serious illness or death resulting from exposure to COVID-19. The age, physical condition, and health of a significant majority of residents of residential healthcare facilities places those residents at high risk of experiencing serious health complications from COVID-19 infection, including death.
3. This Order is also issued in light of the existence, as of September 14, 2020, of 2,043 confirmed cases of COVID-19 in the County and seven deaths.
4. For the purposes of this order, the following definitions apply:
 - a. A Skilled Nursing Facility is a facility located within the geographic boundaries of the County that provides 24-hour skilled nursing care and rehabilitative services

and is licensed as such by the California Department of Social Services. The Skilled Nursing Facilities in the County are:

- i. Heart and Hands Post-Acute Care and Rehabilitation Center, 2990 Soquel Avenue, Santa Cruz 95062 (License No. 070000018)
- ii. Santa Cruz Post-Acute, 1115 Capitola Road, Santa Cruz 95062 (License No. 070000059)
- iii. Driftwood Healthcare Center, 675 24th Avenue, Santa Cruz 95062 (License No. 070000033)
- iv. Pacific Coast Manor, 1935 Wharf Road, Capitola 95010 (License No. 070000039)
- v. Valley Convalescent Hospital, 919 Freedom Boulevard, Watsonville 95076 (License No. 070000094)
- vi. Watsonville Post-Acute Center, 525 Auto Center Drive, Watsonville 95076 (License No. 070000128)
- vii. Watsonville Nursing Center, 535 Auto Center Drive, Watsonville 95076 (License No. 070000129)

b. A Residential Healthcare Facility is any facility located within the geographic boundaries of the County and which falls under the following definitions:

- i. Intermediate care facility, residential care facility, residential care facility for the elderly or continuing care retirement community licensed or certified by the State of California; or
- ii. Any congregate living residential healthcare facility that operates 24 hours a day, 7 days a week, including congregate living homes for the developmentally disabled, residential psychiatric treatment facilities, substance use disorder treatment centers, residential hospice care, residential healthcare rehabilitation facilities, residential treatment facilities or other group homes that provide residents with some degree of medical, therapeutic, psychological support (including for substance use disorder) or services in support of the activities of daily living (e.g., eating, bathing, dressing and other basic self-care).

5. In-person visitation at Residential Healthcare Facilities shall be in accordance with the California Department of Public Health guidance and with any state or federal licensing or certification authorities. Additional restrictions related to Residential Healthcare Facilities are included in Paragraphs 11 and 13 below.

6. In-person visitation at Skilled Nursing Facilities is permitted when:

- a. there have been no new cases of COVID-19 among patients or staff at the Skilled Nursing Facility in the previous 14 days;
- b. the Skilled Nursing Facility is not experiencing staff shortages;
- c. the Skilled Nursing Facility has adequate supplies of PPE and essential cleaning supplies to care for residents;

- d. the Skilled Nursing Facility has adequate access to COVID-19 testing; and
 - e. the Skilled Nursing Facility conducts symptom screening and temperature checks on all staff and visitors and requires staff and visitors to wear face coverings.
7. If the Skilled Nursing Facility does not meet the criteria in Paragraph 6, then the Skilled Nursing Facility may permit visitation only for “Essential Visitors.” Essential Visitors are those individuals whose physical presence is required for urgent health or legal matters that cannot be postponed, including government officials visiting in the course of their duties. Examples of essential visiting purposes include:
- a. When medically necessary, for the provision of urgent health care services.¹
 - b. Urgent legal matters, such as estate planning, health care directive, Power of Attorney, transfer of property title, notarization of documents, etc.
 - c. Visits by local health department officials, social workers, the Ombudsman and their staff, and other essential government agencies or authority.
8. All visits at Skilled Nursing Facilities must take place under the following criteria:
- a. Visits should be scheduled in advance.
 - b. A minimum of six feet of physical distancing shall be maintained between the visitor and the resident and staff.²
 - c. Both residents and visitors must wear face coverings.
 - d. Visits should take place outside whenever possible. During inclement weather, visits may take place in a large room, which is directly ventilated to the outside and in which no other residents or visitors are permitted for the duration of the visit.
 - e. Visitation may take place when the resident is inside and the visitor(s) is (are) outside the window. Unless the window is permanently sealed and cannot be opened, there must be a staff member present to ensure the window is not opened.
 - f. Visitation in shared rooms (rooms occupied by more than one patient) is not permitted under any circumstances.
 - g. The number of visitors present at any time shall be strictly limited to avoid having large groups congregate.
 - h. All visitors must be screened for COVID-19 symptoms and potential exposure, which shall include a temperature check performed by appropriately qualified Skilled Nursing Facility staff.

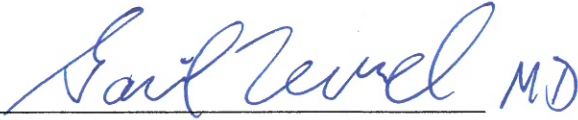
¹ “Medically necessary” shall be interpreted to include visitation at the end of a resident’s life. The determination as to whether any particular situation fits within this exception may be made by (a) any person designated in the license as an Administrator or Medical Director of the Skilled Nursing Facility where the individual is a resident; (b) the highest-ranking staff person employed by the Facility or their designee; or (c) any licensed physician. This exception is intended to apply to visitors such as family members, close friends, those providing services or support of a religious nature, legal representatives, and fiduciaries. The Skilled Nursing Facility must continue to comply with COVID-19 risk mitigation measures established in these limited circumstances, including limiting, as much as possible, contact with any other resident of the Skilled Nursing Facility.

² An exception is authorized for those occasions when six-foot minimum distance cannot be maintained due to the nature of the contact, such as when it is necessary to have the resident’s signature or thumbprint. Similarly, visitors may touch the resident during end-of-life visits, so long as both are wearing appropriate Personal Protective Equipment.

9. All visitors are required to follow the policies and procedures for reducing the risk of transmission established by the Skilled Nursing Facility and must make efforts to reduce the need for in-person visitation.
10. Skilled Nursing Facilities and Residential Healthcare Facilities may establish policies and protocols regarding minimizing risk that are stricter than those described in this Order.
11. Each Skilled Nursing Facility and Residential Healthcare Facility must make reasonable efforts to arrange for alternate means of communication for visitors, such as phone calls, video calls, and online communications.
12. To the extent that this Order contains restrictions on visitation that are less strict than those issued by the California Department of Public Health, the California Department of Social Services or other state or federal authority, the more restrictive provision(s) shall apply.
13. If the Skilled Nursing Facility or Residential Healthcare Facility learns that any resident or staff living or working at the Facility has tested positive for COVID-19 or is informed by a physician that any resident or staff is presumed positive for COVID-19, the Facility must notify the Communicable Disease Unit of the Santa Cruz County Health Services Agency within 24 hours.
14. This order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 4, 2020 Declaration of a Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, the March 10, 2020 Resolution of the Board of Supervisors of the County of Santa Cruz Ratifying the Declaration of a Local Emergency, and the March 10, 2020 Resolution of the Board of Supervisors of the County of Santa Cruz Proclaiming a Local Emergency.
15. This Order is not intended to restrict any first responder access to Skilled Nursing Facility or Residential Healthcare Facility premises. Further, this Order is not intended to restrict local, state or federal officers, investigators, law enforcement or medical personnel from carrying out their lawful duties on the premises of a Skilled Nursing Facility or Residential Healthcare Facility.
16. If any subsection, sentence, clause, phrase or word of this Order or any application of it to any person, Facility, structure or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining provisions or applications of this Order.
17. Copies of this Order shall promptly be posted and provided by the Skilled Nursing Facility or Residential Healthcare Facility as follows for the duration of this Order: (1) posted at all public entrances; (2) provided to each resident; (3) provided to any authorized

decision-maker if not the resident; (4) provided to the designated Long-Term Care Ombudsman for the County; and (5) offered to anyone who visits the Facility.

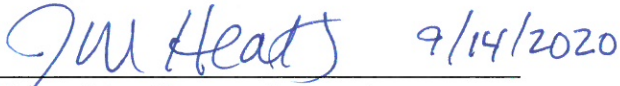
IT IS SO ORDERED:



Gail Newel, MD
Health Officer of the County of Santa Cruz

Dated: September 14, 2020

APPROVED AS TO FORM:



Office of the County Counsel