

## **Protective Services Mitigation Guidance for COVID-19**

The 2019 novel Coronavirus (COVID-19) is a new virus that causes respiratory illness in people and can spread from person to person. The symptoms of COVID-19 are sore throat, cough or fever. Older adults and persons with other medical conditions such as respiratory problems and heart disease are more vulnerable to becoming ill. The World Health Organization has declared the COVID-19 outbreak a global pandemic. Governor Tom Wolf declared a disaster emergency on March 6, 2020 in response to mitigating the spread of COVID-19.

The Pennsylvania Department of Aging (PDA) is providing Protective Services (PS) guidance to mitigate and limit exposure to COVID-19 for facility and residential investigations. Area Agencies on Aging (AAAs) are responsible for developing temporary internal agency plans to address local needs and limit potential exposure of COVID-19 to older adults and staff. Upon authorization from the Governor in accordance with the disaster emergency declaration, PDA is providing the following guidance regarding PS activities:

### **AAA On-Site Quality Assurance Monitoring Visits**

AAA on-site PS Quality Assurance (QA) monitoring activities are suspended until further notice. All QA activities are to be conducted and completed remotely.

### **Protective Services Investigations**

PDA is temporarily suspending protective services regulatory requirements regarding face-to-face contacts (“FTF”) as specified in 6 Pa. Code § 15.42 (relating to standards for initiating and conducting investigations) in certain circumstances. This temporary partial suspension pertains to face-to-face or on-site visits in both facility and community settings across the commonwealth. Investigators are only to conduct face-to-face investigations for the following allegations:

- **serious bodily injury**
- **sexual abuse**
- **serious physical injury**

When conducting investigations for serious bodily injury, sexual abuse or serious physical injury and in order to mitigate exposure to COVID-19, PS investigators must continue to comply with Section 15.42 and are to use standard infection control practices per the Pennsylvania Department of Health’s [website](#).

## **Intake Process**

Upon receipt of a Report of Need (RON), the intake staff should ask the reporter if there are any dangers in the older adult's environment (Question 2.A.8. on the RON). Specifically, in addition to the regular intake process, the worker is to ask if the reporter is aware of any confirmed or suspected exposure to COVID-19 in the facility or residence.

## **Facility Investigations**

For every facility as defined in 6 Pa. Code § 15.2 (relating to definitions), there will be no face-to-face or on-site investigations unless there are allegations of imminent risk of serious physical injury, serious bodily injury or sexual abuse.

All other allegations are to be investigated remotely using methods such as record reviews, interviews by telephone, SKYPE, review of the facility's investigation, etc. Reasonable measures should be used to ensure confidentiality.

When a AAA receives a Report of Need (RON) for an older adult who has tested positive for COVID-19 or is residing in a facility that is housing an individual who has tested positive for COVID-19, the AAA must notify the PDA PS Office of the RON within 24 hours of receipt and provide the allegations, facility name and the name of alleged victim. Before the AAA initiates any on-site investigation, the PDA PS Office will coordinate with the Pennsylvania Department of Health (DOH) and/or Department of Human Services (DHS) to coordinate efforts and limit exposure.

## **Actions to Be Taken Before Entering a Facility**

AAAs are to ensure investigators have the necessary Personal Protective Equipment (PPE) when conducting a required on-site investigation. Any observation of care provided to residents confirmed or presumed to be COVID-19 positive, whether or not symptomatic, shall follow the CDC *Interim Infection Prevention and Control Recommendations for Patients with Suspected or Confirmed Coronavirus Disease 2019 (COVID-19) in Healthcare Settings* at <https://www.cdc.gov/coronavirus/2019-ncov/infection-control/control-recommendations.html>.

Prior to going to the facility, the PS investigator is to notify the administrator of the need for an on-site investigation. Coordinate with the facility staff a timeline for conducting the on-site observation and interview. Determine all documents needed from the facility. These may include medical records, facility policies and procedures, staff training records, etc. These documents shall be requested from the facility. Plan to complete all on-site observations and corresponding interviews during the visit.

Coordinate with the facility on how to efficiently obtain the medical record information. The information collected shall be reviewed off-site. If the facility has an electronic health record (EHR) system, request remote access to the EHR to review needed records.

### **Off-site Interviews**

Except for interviews that would be conducted during the face-to-face visit, all other interviews are to be conducted off-site by telephone, Skype, etc. Document all actual and attempted contacts. Reasonable measures should be used to ensure confidentiality.

After completing all investigative activities necessary, determine if the older adult is (currently) or was (at the time of the incident) in need of protective services.

### **Risk Identification and Mitigation Activities**

If an investigation substantiates that an older adult is or was in need of protective services, an assessment is to be conducted to determine if services are needed to reduce or eliminate identified risk(s). If so, the service plan should follow Protective Service regulations at 6 Pa. Code Chapter §15.93 Service plan,

[http://www.pacodeandbulletin.gov/secure/pacode/data/006/chapter15/006\\_0015.pdf](http://www.pacodeandbulletin.gov/secure/pacode/data/006/chapter15/006_0015.pdf) .

Per the regulations, the service plan is to be least restrictive in nature and include the preferences of the older adult. The service plan is to be offered to and signed by the older adult indicating their consent or refusal. The plan is to include the identified risk(s) and what services are being offered to reduce or eliminate the identified risk(s).

### **Off-Site Reveals Need for On-Site**

When information gathered off-site demonstrates that an on-site investigation is needed to ensure the health and safety of the older adult (i.e., allegations of serious physical injury, serious bodily injury or sexual abuse), the AAA must determine if the individual has tested positive for COVID-19 or the facility is housing an individual who tested positive for COVID-19. If so, the AAA must notify PDA PS Office of the RON within 24 hours of receipt and provide the allegations, facility name and the name of alleged victim.

Before initiating any on-site investigation, the PDA PS Office will coordinate with DOH and/or DHS to coordinate efforts and limit exposure.

## **Residential Investigations**

PDA is temporarily suspending protective services regulatory requirements regarding face-to-face contacts (“FTF”) as specified in 6 Pa. Code § 15.42 (relating to standards for initiating and conducting investigations) in certain circumstances. This temporary partial suspension also pertains to face-to-face or on-site visits in residential/community settings across the commonwealth. Investigators are **only** to conduct face-to-face investigations for the following allegations:

- **serious bodily injury**
- **sexual abuse**
- **serious physical injury.**

All other allegations are to be investigated remotely. Interviews with the older adult and collateral contacts shall also be done remotely. The investigation should also include review of relevant documentation. Consents can be obtained remotely. Reasonable measures should be used to ensure confidentiality.

When an on-site investigation must be conducted because of the nature of the allegations, where there is risk of exposure to COVID-19 exposure(s) because the older adult or a household member has tested positive, please follow the same procedures as detailed above for facility investigations.

## **Regular Updates on COVID-19**

The Pennsylvania Department of Health has a dedicated page for COVID-19 that provides regular updates. Click [here](#) for the most up to date information regarding COVID-19.

Additional information is also available on the [CDC](#) website and through [CMS](#).