

**DATE:** May 19, 2020  
**TO:** Nursing Home and Adult Care Facility Operators and Administrators  
**FROM:** New York State Department of Health

**Directive: COVID-19 Testing of Nursing Home and Adult Care Facility Personnel Deemed Medically Necessary**

**Please distribute immediately to:  
Directors of Nursing, Nursing Home Administrators, and Adult Care Facility Administrators**

**This Directive supplements prior Department of Health guidance concerning twice-weekly COVID-19 testing of all personnel.**

On May 10, 2020, Governor Andrew M. Cuomo signed Executive Order (“EO”) 202.30, which requires operators and administrators of all nursing homes and adult care facilities, including all adult homes, enriched housing programs and assisted living residences, to test or make arrangements for the twice weekly testing of all personnel, including all employees, contract staff, medical staff, operators and administrators, for COVID-19.

As you know, widespread, ongoing community transmission of SARS-CoV-2 is occurring in some areas of New York State, with a large number of cases impacting nursing homes and adult care facilities. The Department of Health’s priorities include the health and safety of personnel providing services and support within these facilities, as well as the health and safety of residents.

As of May 15, 2020, there have been 3,007 confirmed COVID-19 deaths within nursing homes and adult care facilities. The congregant nature of these facilities presents unique challenges in limiting transmission of COVID-19. On a daily basis, personnel within these facilities work in close proximity with residents who are particularly vulnerable to contracting, or have already contracted, COVID-19. Individuals who are infected can be infectious before they become symptomatic, and may spread the disease to other residents or facility personnel. There is currently no vaccine or treatment for COVID-19. Given these circumstances, maintaining a safe environment for residents and a safe work environment depends on appropriate use of personal protective equipment, and routine COVID-19 testing to identify cases as early as possible.

Twice weekly testing is essential to identifying new cases among nursing home and adult care facility personnel. This will help prevent spread of the disease within a facility, and will also ensure that nursing home and adult care facility personnel who suffer a COVID-19 infection will be able to identify the infection at the earliest opportunity, and promptly seek necessary medical care. Consequently, the Department of Health has determined that COVID-19 testing of nursing home and adult care facility personnel, as mandated by Executive Order 202.30, is medically necessary.

Information for healthcare providers on topics related to COVID-19 is readily available on the Department of Health public website at <https://coronavirus.health.ny.gov/information-healthcare-providers>.

Thank you for your ongoing support and cooperation in responding to COVID-19 concerns.