



June 10, 2021

Re: NH-21-13 Nursing Home COVID-19
Testing Requirements

Dear Nursing Home Operators and Administrators:

On January 4, 2021, Governor Andrew M. Cuomo signed Executive Order (“EO”) 202.88, to require all nursing homes to test personnel for COVID-19 as directed by the Commissioner of Health (Commissioner). Pursuant to EO 202.88, the Department of Health (Department) subsequently issued Dear Administrator Letter (DAL) NH-21-01, dated January 7, 2021, to establish twice-weekly testing requirements for nursing home staff. This DAL further modifies the nursing home staff testing requirements articulated in DAL NH-21-01, as follows.

Routine COVID-19 Testing of Nursing Home Personnel

Effective immediately, operators and administrators of all nursing homes are required to test or arrange for the routine testing for COVID-19 of all **personnel who have not been fully vaccinated**, as defined by the Centers for Disease Control and Prevention, including employees, contract staff, medical staff, operators and administrators, for COVID-19 **twice per week**, **consistent with the updated April 27, 2021 CMS rule which stated “vaccinated staff do not need to be routinely tested.”**

Any positive test result must continue to be reported to the Department by 1:00 p.m. of the day following receipt of such test results, in accordance with existing reporting protocols and mechanisms. **Fully vaccinated personnel will no longer require routine twice-weekly testing.**

To facilitate ongoing testing of nursing home staff in New York State who are not fully vaccinated, the Department will continue distributing Abbott BinaxNow COVID-19 antigen tests directly to nursing homes. These tests are to be used to perform a second weekly test of all unvaccinated staff. Tests will continue to be allocated on a monthly basis, with the next delivery occurring in June. For additional information on SARS-CoV-2 Point of Care (POC) Antigen Tests please refer to the recently updated **Frequently Asked Questions for Health Care Providers about Antigen Testing.**

In addition, nursing homes should be cognizant of any expiring transport medium and should discard the expired product in an acceptable manner. Unused transport medium is not considered to be regulated medical waste and does not need to be disposed of in red biohazard bags. Any transport medium that is expired or is about to expire should not be returned.

Please be advised that regardless of the frequency of testing being performed or the facility’s COVID-19 status, the facility must continue to screen all staff (each shift), each resident (daily), and all persons entering the facility, such as vendors, volunteers, and visitors, for signs and symptoms of COVID-19.

When prioritizing individuals to be tested, facilities should prioritize individuals with signs and symptoms of COVID-19 first, regardless whether such symptomatic staff are vaccinated against COVID-19, then perform testing triggered by an outbreak as specified below.

Testing of Staff and Residents with COVID-19 Signs or Symptoms

Staff with signs or symptoms of COVID-19, **whether fully vaccinated or not, must receive a COVID-19 test immediately, along with any other medically-appropriate testing (e.g. viral respiratory pathogens)**, and are expected to be restricted from the facility pending the results of COVID-19 testing. If COVID-19 is confirmed, facilities and staff must follow NYSDOH [return to work requirements](#) for facility staff working in nursing homes. Staff who do not test positive for COVID-19 but have symptoms should follow facility policies to determine when they can return to work.

Residents who have signs or symptoms of COVID-19, **whether fully vaccinated or not, must be tested immediately**. While test results are pending, residents with signs or symptoms should be placed on transmission-based precautions (TBP) in accordance with CDC guidance. Once test results are obtained, the facility must take the appropriate actions based on the results.

Testing of Staff and Residents with an Exposure

For information on testing staff and residents who may have been exposed to COVID-19, see the [CDC's Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination](#).

Testing of Staff and Residents in Response to an Outbreak

An outbreak is defined as a new COVID-19 infection in any healthcare personnel (HCP) or any [nursing home-onset](#) COVID-19 infection in a resident. In an outbreak investigation, rapid identification and isolation of new cases is critical in stopping further viral transmission. A resident who is admitted to the facility with COVID-19 does not constitute a facility outbreak.

Upon identification of a single new case of COVID-19 infection in any HCP or residents, **all HCP and residents, regardless of vaccination status, should be tested immediately** (see [CMS-QSO-38-nh](#)), and all HCP and residents who test negative should be retested every 3 days to 7 days until testing identifies no new cases of COVID-19 infection among HCP or residents for a period of at least 14 days since the most recent positive result. See CDC guidance "Testing Guidelines for Nursing Homes" section [Non-diagnostic testing of asymptomatic residents without known or suspected exposure to an individual infected with SARS-CoV-2](#).

Thank you for your ongoing commitment and efforts to protect the health and safety of your residents and staff. If you have further questions regarding this DAL, please contact the Division of Nursing Homes /IID Surveillance Bureau of Quality Assurance and Surveillance at covidnursinghomeinfo@health.ny.gov.

Sincerely,

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