

Travel Advisory Return to Work Requirements for Nursing Home Staff

This memorandum seeks to clarify the requirements of the COVID-19 Travel Advisory applicable to nursing home staff. Nursing home workers are included in the definition of essential workers who are permitted to return to work without quarantining for 14 days, provided the following conditions, outlined in the Travel Advisory FAQs¹, are met:

- Furloughing such HCP would result in staff shortages that would adversely impact operation of the healthcare entity, and all other staffing options have been exhausted.
- HCPs are asymptomatic.
- HCP received diagnostic testing for COVID-19 within 24 hours of arrival in New York.
- HCP is self-monitoring twice a day (i.e. temperature, symptoms), and receiving temperature monitoring and symptom checks at the beginning of each shift, and at least every 12 hours during a shift.
- HCP is wearing a facemask while working.
- To the extent possible, HCP working under these conditions should preferentially be assigned to patients at lower risk for severe complications, as opposed to higher-risk patients (e.g. severely immunocompromised, elderly)
- HCP allowed to return to work under these conditions should maintain self-quarantine when not at work.
- At any time, if the HCP working under these conditions develop symptoms consistent with COVID-19, they should immediately stop work and isolate at home. All staff with symptoms consistent with COVID-19 should be immediately referred for diagnostic testing for SARS-CoV-2.

The Travel Advisory guidance is not clear concerning the need for nursing home staff to present a negative test prior to returning to work after travel in a designated state. It reminds workers and employers that they are subject to previously issued and industry-specific guidance (“e.g., for a nursing home worker, a negative test PCR test will be required before return to work”). It is not clear whether this reference to a negative PCR test pertains only to individuals who have previously tested positive or to individuals who are returning from a designated state. Given the lack of clarity, a cautious approach to compliance would involve requiring staff to present a negative test result prior to their return to work from a designated state.

In addition, the June 24 Travel Advisory guidance requires workers to maintain social distancing; clean and disinfect workspaces for a minimum of 14 days; and avoid extended periods in public, contact with strangers, and large congregate settings for at least 7 days.

Contact: Karen Lipson, klipson@leadingageny.org, 518-867-8838.

¹ https://coronavirus.health.ny.gov/system/files/documents/2020/07/nys-covid-travel-advisory-faq_0.pdf