**Long-Term Care Facility (Nursing Facility, Rest Home, and Assisted Living Residence) Surveillance Testing FAQ**

*December, 2020*

*This FAQ has been updated in response to updates in the* [*DPH Order on Long-Term Care Surveillance Testing*](https://www.mass.gov/doc/updates-to-long-term-care-surveillance-testing-1123/download) *and* [*MassHealth Nursing Facility Bulletin 157*](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download)

## **General Questions on Surveillance Testing Policy**

1. **Is my facility or residence required to adhere to this policy?**

Nursing facilities and rest homes are required to comply with the surveillance testing regimen, and will lose eligibility for certain funding for noncompliance. Nursing facilities may also be subject to further sanction action for false or misleading representations with respect to the surveillance testing regimen.

It is recommended that Assisted Living Residences (ALRs) follow the surveillance testing regimen. When reading this document, ALRs should understand all requirements as recommendations (e.g. replacing the word “must” with “should”).

1. **What are the options for support with testing? Is the National Guard available for testing again, or are there ways to receive testing kits through the state?**

Long-term care facilities (which includes nursing facilities, rest homes, and Assisted Living Residences, referred to collectively as “facilities” in this document) are expected to independently coordinate their own testing of staff and residents through a qualified testing provider. The state has provided a [directory](https://www.mass.gov/info-details/covid-19-testing-guidance?auHash=EJehx24ssrGGGPc1JZIBdLzBHrFj5TYus92PRhUDzIs) of testing options. National Guard testing is no longer available.

Facilities should engage a testing provider and ensure that the appropriate business relationships are in place between the facility and the provider before sending samples. Facilities that wish to do their own collection with on-site clinical staff should get test kits from their testing provider/lab.

1. **Does the facility need to pay for staff testing? Or will the staff member’s insurance pick up the cost?**

Facilities are expected to organize and pay for staff testing under the surveillance testing regimen for which nursing facilities and rest homes will receive $80 per test payment from the state, per [MassHealth Nursing Facility Bulletin 157](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download) and [Administrative Bulletin 20-85: COVID-19 Ongoing Surveillance Testing Requirements for Resident Care Facilitie](https://www.mass.gov/doc/administrative-bulletin-20-85-101-cmr-20400-rates-of-payment-to-resident-care-facilities-0/download)s. EOHHS would only expect staff testing to be reimbursed by insurance, if a staff member were to choose to get tested outside of this regimen because they become symptomatic or are a close contact of a confirmed COVID-19 case. In instances where a staff member gets tested on their own, the testing may be counted towards total required tests, provided that the results and documentation of those results are provided to the facility, but the test will not be counted for purposes of the $80 per test payment.

EOHHS will reimburse ALRs at $80 per test for up to two rounds of testing for all staff, per 30-day period, in the event that there is a new positive staff case identified.

Facilities must organize and pay for testing to be eligible for supplemental payments.

1. **How are “staff” defined for the purposes of testing?**

“Staff” includes employees, consultants, contractors, volunteers, and caregivers who provide care and services to residents on behalf of the facility, and students in the facility’s nurse aide training programs or from affiliated academic institutions reporting to the facility during the relevant testing period.

Staff does not include persons who work entirely remotely or off-site, employees on leave or otherwise not working for the entirety of the facility’s relevant testing period (i.e. the bi-weekly, or weekly testing period), such as those on vacation or paid family medical leave. Staff also does not include staffing provided at the Commonwealth’s expense, such as those provided by EOHHS through a clinical rapid response team or the Massachusetts National Guard, or those staff members who have previously tested positive for COVID-19. This includes all contractors and vendors who enter the building.

1. **Does this include nurse staffing agency staff?**

Yes, per diem and nurse staffing agency staff will be included as staff for surveillance testing requirements if they work a shift during the testing period.

1. **Do staff working at multiple facilities need to be tested?**

Yes, all staff working at the physical location of the facility at which they are employed must adhere to the testing policy of that site. A facility may count staff testing conducted or facilitated elsewhere, including staff testing conducted by another facility, as long as it has documented evidence of the completed testing for such tests, including the documented results. However, the test will only be counted towards the supplemental payment for the facility that organized and paid for the testing.

1. **Are facilities responsible for ensuring that EMS personnel are tested before entering a facility?**

In the case of an emergency, EMS personnel are not required to be tested before entering a facility, and facilities may not condition entrance on testing or prevent appropriate medical personnel from entering the facility to render emergency medical services.

1. **How frequent is a “testing period”?**

Under the updated surveillance testing regimen, a “testing period” occurs weekly.

1. **Can facilities use antibody tests or rapid molecular tests for this initiative?**

Facilities must use forms of COVID-19 diagnostic test methods approved by the FDA, which must be able to detect SARS-CoV-2 virus, with a polymerase chain reaction (PCR) of greater than 95% sensitivity and greater than 90% specificity, within 48 hours of conducting the test.

Antibody test results and rapid molecular testing do not satisfy the testing requirements and should not be used to diagnose an active SARS-CoV-2 infection.

## **Nursing Facility and Rest Home Testing FAQs**

1. **I have received quotes from testing vendors up to $150. Can the MassHealth supplemental payment be adjusted based on actual cost?**

No. For eligible nursing facilities and rest homes, the supplemental payment or add-on rate will be calculated based on a rate of $80 per qualifying staff test completed, regardless of the actual cost of testing. EOHHS is aware of multiple testing providers that are offering testing for $80 per test, or less.

1. **Will nursing facilities and rest homes be reimbursed for resident testing as part of this regimen?**

Residents should be tested when symptomatic or following close contact with someone diagnosed or presumed COVID-19 positive, meaning tests should be medically necessary and billable to the residents’ insurance.

1. **Is the testing vendor supposed to file directly with the state on the results or is the facility to do that?**

The nursing facilities and rest homes must report the test results through the online [survey tool](https://www.surveygizmo.com/s3/5678159/covid-nf-surveillance) as required by [Nursing Facility Bulletin 157](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download), [Administrative Bulletin 20-85: COVID-19 Ongoing Surveillance Testing Requirements for Resident Care Facilitie](https://www.mass.gov/doc/administrative-bulletin-20-85-101-cmr-20400-rates-of-payment-to-resident-care-facilities-0/download)s and [DPH Rest Home Surveillance Testing Guidance](https://www.mass.gov/doc/administrative-bulletin-20-81-101-cmr-20400-rates-of-payment-to-resident-care-facilities-0/download). The lab will also submit the results to the state’s MAVEN system.

1. **Will these new positive cases from staff testing be reported in the state’s Weekly Public Health Report?**

Yes, positive cases will be incorporated into the “COVID Cases and Facility-Reported Deaths in Long Term Care Facilities” section, updated each Wednesday in the [Weekly COVID-19 Public Health Report.](https://www.mass.gov/info-details/covid-19-response-reporting#covid-19-weekly-public-health-report-)

1. **How often do facilities need to report the testing results?**

Reporting for ongoing surveillance testing will be due on a weekly basis.

1. **Will there be a penalty if there is a delay in test results?**

If a facility’s results are not ready by the reporting deadline, the facility must still report that test results are pending, by the reporting deadline. Facilities should report as pending any test results that they are still waiting to receive and resubmit the report with the required testing results through the online survey within two business days of receipt of the completed results.

Facilities will not be penalized for a delay in test results that are due to lab processing delays (and not due to the facility failing to conduct the specimen collection or send the samples to the lab within the requisite time frame), so long as the facility adheres to the above process in a timely manner and all other requirements as described in [MassHealth Nursing Facility Bulletin 157 and [Administrative Bulletin 20-85: COVID-19 Ongoing Surveillance Testing Requirements for Resident Care Facilitie](https://www.mass.gov/doc/administrative-bulletin-20-85-101-cmr-20400-rates-of-payment-to-resident-care-facilities-0/download)s](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download).

1. **Are nursing facilities and rest homes permitted to seek payment for the COVID-19 surveillance testing of contracted staff such as environmental services staff and dietary staff?**

Yes, supplemental payments and rate add-ons for staff testing will include all qualifying staff tests, including tests conducted for contract employees and any staff, as such term is defined in [MassHealth Nursing Facility Bulletin 157 and [Administrative Bulletin 20-85: COVID-19 Ongoing Surveillance Testing Requirements for Resident Care Facilitie](https://www.mass.gov/doc/administrative-bulletin-20-85-101-cmr-20400-rates-of-payment-to-resident-care-facilities-0/download)s](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download)

1. **Are nursing facilities that do not accept MassHealth members required to adhere to this policy?**

All nursing facilities are required to comply with the surveillance testing regimen outlined in the DPH guidance. However, [MassHealth Nursing Facility Bulletin 157](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download) only applies to nursing facilities enrolled in MassHealth.

1. **For nursing facilities with residential care units or beds, how should staff be reported?**

All staff who work at a nursing facility, including nursing facilities with residential care units or beds, will be considered staff of the nursing facility and should be tested and reported in accordance with [MassHealth Nursing Facility Bulletin 157](https://www.mass.gov/doc/nursing-facility-bulletin-157-updated-covid-19-ongoing-surveillance-testing-requirements-for/download).

Facilities that have both nursing facility beds and rest home beds on a single campus should submit a single report for the entire facility and report each staff member only once, even if they work on both nursing facility and rest home units.

## **Assisted Living Residences (ALRs) FAQs**

1. **Are ALRs required to adhere to these testing policies?**

It is recommended that ALRs adhere to the testing guidance. Guidance can be found on the Mass.gov [COVID-19 website](https://www.mass.gov/info-details/covid-19-public-health-guidance-and-directives).

1. **Will ALRs be reimbursed for staff surveillance testing?**

EOHHS will reimburse ALRs at $80 per test for up to two rounds of testing for all staff, per 30-day period, in the event that there is a new positive staff case identified. This policy is outlined in a [memo](https://www.mass.gov/doc/reimbursement-policy-for-alr-testing/download) from EOEA.

1. **Who is responsible for the process of administering and collecting testing specimens within an ALR?**

The state will not place requirements on the staff involved in the collection of specimens. ALRs should identify the most appropriate staff to assist testing staff and residents.

1. **Are third party staff and residents’ private duty aides considered “staff” that need to be included in surveillance testing?**

No, please refer to the guidance issued on November 9th, [ALR Social Visits and Indoor Congregate Activities Guidance](https://www.mass.gov/doc/alr-social-visits-and-indoor-congregate-activities-guidance/download), [Appendix A COVID-19 Reporting Template](https://www.mass.gov/doc/appendix-a-covid-19-reporting-template/download) regarding offering testing for visitors. However, an ALR cannot require testing as a condition before visiting a resident.