As COVID-19 Spreads, KY Medical Directors Require Measures to Improve Nursing Home Patient Safety

We, the members of the Kentucky Medical Directors Association & Society for Post-Acute and Long-Term Care Medicine (KMDA-PALTC), are experts in treating the specialized group of geriatric patients and residents who reside in our long-term care communities. In our role as providers, we have a greater understanding of the needs of this population.

The COVID-19 pandemic has significantly threatened our PA/LTC patients and residents, as well as the staff who provide their care. Our commitment is to advocate for our patients and staff in this time of urgent need.

Key facts about our population are:

1. PA/LTC patients and residents are advanced in age, vulnerable, frail, and the most medically complex population in any setting. They are unable to care for themselves, thus require health care treatment plans that optimize quality of life.

2. Our PA/LTC patients and residents are at risk of the worst outcomes secondary to the COVID-19 illness, and early identification and containment of infection spread is a must. A large proportion of patients and PA/LTC staff may have asymptomatic infections.

3. The ability to test both staff and patients/residents (symptomatic and asymptomatic) for the coronavirus is the best strategy available to minimize the spread of COVID-19 in the PA/LTC setting.

We are grateful for the recently organized Kentucky Long Term Care Task Force and appreciate recent action to improve access to timely testing, results, and available PPE supplies to support our PA/LTC facilities. Other additional concerns that we believe are critical and require your immediate attention include:

1. PA/LTC patients and residents to be placed in the ‘Priority 1’ category for testing. The CDC currently assigns symptomatic PA/LTC patients in the Priority 2 testing category, despite acknowledging that older adults and those with underlying medical conditions are inherently more at risk for severe illness from COVID-19.

2. Rapid COVID-19 testing be made widely available to patients and staff in PA/LTC settings
statewide.

3. Greater priority be given to providing Personal Protective Equipment (PPE) and supplies to PA/LTC facilities so we may safely treat our patients and protect our staff.

4. A process put in place for Kentucky hospitals to test patients for COVID-19 prior to transfer to a post-acute or long-term care facility.

5. Assistance in modifying our KY pharmacy regulation during this pandemic which currently limits the supply of controlled substance for emergency use. We request permission to expand supplied comfort medications (for pain, anxiety, nausea, etc.) onsite, stored in facility emergency kits for the purpose of treating coronavirus patients who are palliative with end of life needs. This would also allow us to keep patients within our nursing facilities and reduce hospital admissions.

6. Consistent with New York Governor Cuomo’s most recent executive orders, we ask that provisions be approved to protect post-acute and long-term care facilities and/or providers from frivolous malpractice lawsuits during the coronavirus pandemic due to constantly evolving standards of medical care against this novel illness. We request that an executive order provide that all physicians, physician assistants, specialists, nurse practitioners, pharmacists, licensed registered professional nurses and licensed practical nurses shall be immune from civil or legal liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing medical services in support of the State’s response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional.

KMDA-PALTC is dedicated to the continued health and safety of our patients, residents and staff. We respectfully request your timely attention to assist us and maintain the integrity of our facilities in this time of crisis. Please direct all follow-up questions or inquiries to KMDA President Carmel Person, MD, at carmel.person@nortonhealthcare.org.

Sincerely,

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