



Empire State
Association of
Assisted Living

Care. Community. Connections. Every Day.



February 24, 2021

Dear family member of a loved one in Assisted Living,

I am writing to you as the Director of the Empire State Association of Assisted Living (ESAAL), which represents more than 300 licensed adult care facilities and assisted living communities around New York State. The home where your loved one lives is a member of our organization, and we advocate for your Assisted Living community in matters of regulation, legislation, and education.

You may have heard about the new visitation guidelines that the Governor has offered for Nursing Home residents. We know you are asking, and rightly so, what about us, what about assisted living communities? Your community's leaders, owners, and staff, along with all communities across the state, want nothing more than to end the tortuous, year-long lockdown of visits, communal dining and other activities.

Your community's Administration has shared with you the constraints that they are under from their regulatory body, the New York State Department of Health. This state agency, under the ultimate direction of the Governor, holds all the power to change the current rules for your Adult Care community. Their positions and guidance are well intended, meant to keep COVID-19 OUT of the community and away from your loved ones. But that has come at great cost to you, your loved ones and assisted living staff who want nothing more than to see residents active and socializing both within and outside of their home. It is truly heartbreaking for everyone and it is antithetical to the assisted living philosophy.

The recent guidance regarding changes in visitation rules for Nursing Homes – post vaccination – is far from perfect but is a good indication that the Assisted Living/Adult Care homes will be next for some loosening of restrictions. On your behalf, ESAAL is working to make this happen quickly, by using our government relations team, the press, by speaking to your legislators and by constant advocacy with the Department of Health leadership. Read our recent recommendations to Commissioner Howard Zucker [HERE](#). (FYI: Once our visitation guidance is issued, the rule will require that two weeks have passed since your loved one's second vaccine dose before the loosening of the restriction can set in.)

Please understand that until such time that revised visitation guidance is issued for assisted living communities, they remain subject to earlier official guidance issued in 2020 or earlier in 2021. **They must follow those guidelines until such time that the Department issues revised guidance, and they are subject to penalties of up to \$10,000 if the Department determines that they have not followed the guidance that is in effect.**

What can you do to help us with our advocacy efforts to advocate for your loved one? You can help by advocating to the people who are making these decisions for them. Call and write and tell them how the lack of visitation and other restrictions is harming them and you:

- >Contact the Department of Health, Commissioner Howard Zucker at howard.zucker@health.ny.gov
- >Contact Heidi Hayes, Director of Division of Adult Care Facility/Assisted Living at Heidi.Hayes@health.ny.gov
- >COVID hotline email at covidadultcareinfo@health.ny.gov
- >Contact the Governor at <https://www.governor.ny.gov/content/governor-contact-form>
- >Contact your legislator: Find your Senator [HERE](#) Find your Assemblyperson [HERE](#)

Thank you for your help and for your patience during what is unquestionably the most difficult time for all, especially our loved ones in senior living. Rest assured that our members and their staff are working tirelessly to not only keep them safe but to fill in the tremendous gap that has been created because of this deadly virus and the state's rules about it.

Sincerely,

Lisa Newcomb, Executive Director, Empire State Association of Assisted Living