



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

January 18, 2022

PIN 22-04-ASC

TO: ALL ADULT AND SENIOR CARE PROGRAM RESIDENTIAL
LICENSEES

FROM: *Original signed by Kevin Gaines*
KEVIN GAINES
Deputy Director
Community Care Licensing Division

SUBJECT: **UPDATED STATEWIDE VISITATION WAIVER, AND TESTING AND
VACCINATION VERIFICATION GUIDANCE FOR VISITORS RELATED
TO CORONAVIRUS DISEASE 2019 (COVID-19)**

Provider Information Notice (PIN) Summary

PIN 22-04-ASC informs Adult and Senior Care (ASC) residential licensees of the [Public Health Officer Order of December 31, 2021](#), which supersedes the [August 26, 2021 Requirements for Visitors in Acute Health Care and Long-Term Care Settings](#).

Pursuant to the terms of this Order, this PIN updates the Visitation Waiver and processes for verifying the vaccination status and test results of all visitors, in order to have an indoor or outdoor visit. This Order took effect on January 7, 2022. Facilities must be in full compliance at that time. This Order will remain in effect until February 7, 2022, and the California Department of Public Health (CDPH) and California Department of Social Services (CDSS) will continue to assess ongoing conditions during this time to determine any further updates.

Please post/keep this PIN in the facility where all persons in care and facility staff as well as families and representatives of persons in care in the facility can easily access it and distribute the PIN to persons in care and, if applicable, their representatives.

Although COVID-19 vaccination remains effective in preventing severe disease, recent data suggests that vaccination immunity wanes over time, especially in people aged 65 years and older. COVID-19 vaccination also remains effective for preventing infection or reducing symptom severity. Early data also suggests increased transmissibility of the Omicron variant is two to four times more infectious than the Delta variant, and there is evidence of the ability of the variant to evade immunity conferred by past infection or vaccination (i.e., immune evasion). Recent evidence also shows that among workers in ASC facilities, vaccine effectiveness against COVID-19 infection is also decreasing over time without boosters.

The recent emergence of the Omicron variant further emphasizes the importance of vaccinations, boosters, and prevention efforts, including testing and masking, needed to continue protecting against COVID-19, and additional statewide facility-directed measures to ensure we protect the particularly vulnerable populations in long-term care settings.

In an ongoing effort to ensure resident safety, and to minimize the spread of COVID-19 among vulnerable individuals, CDPH issued a State Public Health Officer Order:

- [State Public Health Officer Order of December 31, 2021.](#)

The State Public Health Officer Order requires ASC residential facilities to update and implement processes for verifying the vaccination status and for obtaining and tracking documentation of COVID-19 diagnostic tests of all visitors seeking indoor or outdoor visitation.

Note: This PIN updates [PIN 21-17.2-ASC](#)'s and [PIN 21-49-ASC](#)'s guidance in regard to communal dining. All other guidance in regard to group activities and non-essential services and residents returning from outings; new admissions; and entertainment, remains in effect. This PIN supersedes guidance regarding Vaccination Verification and Recordkeeping Requirements for Visitors of Residential Facilities and Physical Touch; and updates guidance on Visitation Waiver, Outdoor Visitation, Virtual Visitation in [PIN 21-40-ASC](#), dated August 27, 2021.

Licensees should continue to follow guidance in all applicable California Department of Social Services (CDSS) [PINs](#) in addition to guidance or instructions from:

- Health care providers;
- [Centers for Disease Control and Prevention \(CDC\)](#);
- [California Department of Public Health \(CDPH\)](#);
- [California Department of Developmental Services \(CDDS\)](#);
- [California Department of Industrial Relations \(DIR/ Cal/OSHA\)](#); and
- [Local health departments](#).

*If there are differing requirements between the most current CDC, CDPH, CDSS, CDDS, Cal/OSHA, and local health department guidance or health orders, **licensees***

should follow the strictest requirements. However, there may be times where a licensee will need to contact their Regional Office for assistance in reconciling these differences, especially if the strictest requirements appear to be in conflict with the best interest of residents.

STATEWIDE WAIVER OF LICENSING STANDARDS FOR VISITATION

In response to a surge in COVID-19 cases in California, on November 10, 2021, Governor Newsom issued [Executive Order N-21-21](#), which extends CDSS' waiver authority issued pursuant to the [Governor's March 4, 2020, Proclamation of a State of Emergency \("Proclamation"\)](#), and permits facilities operating under existing CDSS COVID-19 waivers to continue operating pursuant to such waivers through the expiration date set forth by CDSS, or March 31, 2022, whichever occurs first. Pursuant to the Governor's Proclamation and consistent with the State Public Health Officer Order of December 31, 2021, CDSS is waiving certain licensing requirements applicable to visitation in ASC licensed facilities, subject to the terms and conditions set forth in this PIN.

Visitation Waiver

Note: This updates the Visitation Waiver in PIN 21-40-ASC, dated August 27, 2021, insofar as it now applies to both indoor and outdoor visitation.

Resident's rights to visitation are waived and indoor and outdoor visitation shall be permitted only in accordance with this waiver. Visitation shall also be limited or modified as described below.

During the time when regular visitation is limited, facilities shall make arrangements for alternative visitation (see *Virtual Visitation and Exceptions to Visitation Waiver* sections below). Visits and communications as described in this waiver shall allow for private and/or confidential communications.

This waiver applies to the right of a person to visitation and the personal right to associate with other persons in care under Health and Safety Code (HSC) sections 1512, 1569.269, 1569.313, and 1771.7; California Code of Regulations (CCR), Title 22, Division 6, sections 80072, 81072, 85072, 87468, 87468.1, 87468.2, and 87872.

General Visitation Requirements for Licensees

For any visitor entering the facility, including essential visitors, regardless of their vaccination status, licensees must:

- Designate a facility staff member to conduct initial screening for [COVID-19 symptoms](#) of all individuals entering facility.
- Require the visitor be screened for fever and COVID-19 symptoms, wear a well-fitting face mask (a surgical mask, double masking, or a respirator is

recommended) at all times during any visitation at the facility; see [PIN 21-38-ASC](#)), wear any other personal protective equipment (PPE) while in the resident's room that facility staff deem appropriate to the situation, and wash hands or use an alcohol-based hand sanitizer upon entering the facility. Ask visitors if they had COVID-19 symptoms within the last 24 hours and whether anyone in the individual's home has COVID-19 symptoms or tested positive.

- Exclude any visitors showing COVID-19 symptoms and disinfect surfaces that were within six (6) feet of a symptomatic individual. Discard items that cannot be disinfected or have the symptomatic individual take their items with them.
- Require the visitor maintain at least six (6) feet of physical distancing from facility staff and other residents and visitors that are not part of their group at all times during their visit at the facility.

NEW! Indoor and In-Room Visitation, including Communal Dining

Note: This updates the guidance on Indoor and In-Room Visitation in PIN 21-40-ASC, dated August 27, 2021, and the guidance on Communal Dining in PIN 21-49-ASC, dated November 17, 2021, insofar as they now change the vaccination and testing requirements.

- Licensees shall allow indoor visitation, including communal dining and in-room visitation, at all times and for all residents regardless of vaccination status **of the resident**, if (1) the visitor is fully vaccinated, have had all recommended booster doses based on the table below **and** provide evidence of a negative COVID-19 test within one day of visitation for antigen tests, and within two days of visitation for Polymerase Chain Reaction (PCR) tests; OR (2) permit only outdoor visitation for those that do not meet all the aforementioned requirements in this section. Staff must screen visitors and the visitor must be asymptomatic, and staff should clean and disinfect surfaces.
- **Note:** For visitors who visit for multiple consecutive days in ASC facilities, proof of negative test is only required every third day (meaning testing is only required on day one, day 4, and day 7, and so on).
- Visitors of residents under quarantine should be provided PPE (i.e., gloves, gown, eye protection and N95 respirator) and instructed in an N95 respirator seal check.
- For residents in isolation, the licensee should provide and require the visitor wear PPE recommended for facility staff as specified in [PIN 21-12-ASC](#). A visitor of a resident under isolation does not need N95 respirator fit testing but should be instructed on [how to perform a seal check](#).

Important! People are considered fully vaccinated for COVID-19 two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen).

Outdoor Visitation

Note: This updates the guidance on Outdoor Visitation in PIN 21-40-ASC, dated August 27, 2021, insofar as it now adds testing requirements for visitors who are unvaccinated, incompletely vaccinated, or booster-eligible and have not received their booster dose.

Outdoor visits pose a lower risk of transmission due to increased space and airflow; therefore, any outdoor visitation is preferred and should be held whenever practicable. Visitors who are unvaccinated, incompletely vaccinated, or booster-eligible and have not yet received their booster dose are eligible only for outdoor visitation if they can show documentation of a negative COVID-19 test where the specimen collection occurred within one (1) day of visitation for antigen tests, and within two (2) days of visitation for PCR tests or, and for which test results are available at the time of entry to the facility. At all times when visitation is restricted under this waiver, licensees must allow for outdoor visits (see “*Note*” above) on the facility premises if weather permits and where the visitor wears a well-fitting face mask (a surgical mask or respirator), there is at least six (6) feet or more physical distancing from facility staff and other residents and visitors that are not part of their group at all times during the visit, staff screen visitors, and staff clean and disinfect surfaces.

Mask Requirements for Visitors Who are Unvaccinated, Incompletely Vaccinated, or Booster-Eligible and Have Not Yet Received Their Booster Dose

Visitors who are unvaccinated, incompletely vaccinated, or booster-eligible and have not yet received their booster dose must meet the following masking requirements:

- Indoor visitors and visitors eligible for outdoor visitation must wear a well-fitting face mask (a surgical mask or respirator) at all times during the visitation and physically distance themselves from facility staff and other residents and visitors that are not part of their group at all times during the visit.

Important! If a resident is not able to leave their room or otherwise meet with visitors outdoors, the visitation may take place indoors, even for visitors who cannot provide vaccine verification or a negative test. These visits, however, cannot take place in common areas, or in the resident's room if the roommate is present, and the visitor must wear a well-fitted mask with good filtration (N95, KF94, KN95, or surgical masks are preferred over cloth face coverings) and the resident must wear a well-fitting face mask at all times and physically distance.

Virtual Visitation

Note: This updates the guidance on Virtual Visitation in PIN 21-40-ASC, dated August 27, 2021, insofar as it now adds new requirements to applicable licensees for the provision of internet access and videoconferencing to clients or residents.

At all times, licensees must allow and provide assistance in arranging for alternative communication for visitors such as phone calls, video calls, and online communications. As of January 1, 2022, licensees that have internet access must provide at least one internet accessible device, such as a computer, smart phone, tablet or other device that: supports real-time interactive applications; is equipped with videoconferencing technology, including camera and microphone functions; and is dedicated for client or resident use. The device must be available in a manner that allows a client or resident to access it for discussion of personal or confidential information with a reasonable level of personal privacy, and made available in a manner that permits shared access among all clients or residents in the facility during reasonable hours. All shared internet access devices should be disinfected between uses. For more information about this requirement, please see [PIN 21-52-ASC](#).

Vaccination Verification and Recordkeeping Requirements for Visitors of Residential Facilities (Indoor Visits Only)

Note: This supersedes the guidance on Vaccination Verification and Recordkeeping Requirements for Visitors of Residential Facilities (Indoor Visits Only) found in PIN 21-40-ASC dated August 27, 2021.

Became effective January 7, 2022 in accordance with the State Public Health Officer Order.

ASC facilities must verify visitors are fully vaccinated, have had all recommended doses based on the table below **and** provide evidence of a negative COVID-19 test within one day of visitation for antigen tests, and within two days of visitation for PCR tests, for indoor visitation.

California Immunization Requirements for Indoor Visitation

COVID-19 Vaccine	Primary vaccination series	When Does a Person Become Booster-Eligible	Which vaccine booster dose to receive
Moderna or Pfizer-BioNTech	1st and 2nd doses	Booster dose 6 months after 2nd dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose, but either Moderna or Pfizer-BioNTech are preferred.

COVID-19 Vaccine	Primary vaccination series	When Does a Person Become Booster-Eligible	Which vaccine booster dose to receive
Johnson and Johnson [J&J]/Janssen	1st dose	Booster dose 2 months after 1st dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose, but either Moderna or Pfizer-BioNTech are preferred.
World Health Organization (WHO) emergency use listing COVID-19 vaccine	All recommended doses	Booster dose 6 months after getting all recommended doses	Single booster dose of Pfizer-BioNTech COVID-19 vaccine
A mix and match series composed of any combination of FDA-approved, FDA-authorized, or WHO-EUL COVID-19 vaccines	All recommended doses	Booster dose 6 months after getting all recommended doses	Single booster dose of Pfizer-BioNTech COVID-19 vaccine

Proof of Vaccination and Recordkeeping

Pursuant to the [CDPH Guidance for Vaccine Records Guidelines & Standards](#), only the following modes may be used as proof of vaccination:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided, and date last dose administered); OR
- a photo of a Vaccination Record Card as a separate document; OR
- a photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
- documentation of COVID-19 vaccination from a healthcare provider; OR
- digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

In the absence of knowledge to the contrary, facilities may accept the documentation presented as valid.

Important! WHO Yellow Card refers to the original World Health Organization International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 vaccine in a foreign country.

See [CDPH Guidance for Vaccine Records Guidelines & Standards](#) for information on how individuals may obtain a record of their vaccination. Also see the [Digital COVID-19 Vaccine Record website \(myvaccinerecord.cdph.ca.gov\)](https://myvaccinerecord.cdph.ca.gov) for a digital copy of vaccine records for vaccinations administered in California.

Facilities must have a plan in place for tracking verified visitor vaccination status and documentation of a negative COVID-19 test. Records of vaccination verification or documentation of a negative COVID-19 test must be kept on file at the facility and made available, upon request to CDSS, or to the local health jurisdiction for purposes of case investigation.

Visitors who have not received all the recommended doses, or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated or incompletely vaccinated.

Test Types and Access to Testing.

Visitors may choose to use an antigen or PCR test to satisfy the test requirement. Any PCR or antigen test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

Facilities with a Clinical Laboratory Improvement Amendments of 1988 (CLIA) waiver allowing for antigen testing and facilities participating in the CDPH Antigen Testing Pilot (see [PIN 21-30-ASC](#)) can offer to conduct onsite testing of visitors if practical per facility testing capacity, but are not required to do so.

Please also see [PIN 21-11-ASC](#) for options to access testing and PIN 21-30-ASC on availability of the Binaxnow™ antigen testing program for ASC facilities.

Exceptions to Vaccination, Testing, Verification and Recordkeeping

Note: This supersedes the guidance on Exceptions to Vaccination, Testing, Verification and Recordkeeping found in PIN 21-40-ASC dated August 27, 2021

Became effective January 7, 2022 in accordance with the State Public Health Officer Order.

Vaccination and testing requirements and associated verification and recordkeeping conditions do not apply to:

- Visitors who are visiting a resident in critical condition, when death may be imminent. For these visitors, the requirements related to masking, PPE, and physical distancing still apply as specified for other visitors in this PIN.
- Visits from CDSS, CDPH, CDDS or local regional center, local health department officials, mental/healthcare providers (e.g., home health and hospice agencies), and essential government authorities needing to enter or conduct investigations at the facility.
- Visits mandated by a court order or federal law such as visits by Adult Protective Services or the Long-Term Care Ombudsman.

Exceptions for Continuing Care Retirement Communities (CCRC)

Visitation restrictions, vaccine verification and testing requirements shall only be imposed on an independent CCRC resident when the resident is living with someone who is receiving assisted living services; or when the independent CCRC resident is commingling with residents who receive assisted living services or live in assisted living units by, for example, participating in communal dining or activities or using common facility amenities. See PIN 20-38-ASC for guidance as to when restrictions to independent living residents apply.

Additional Terms and Conditions for Visitation Waiver

Licensees shall protect the confidentiality of a person's medical diagnosis, treatment, and health care information; and continue to comply with any guidance or instructions from CDSS, health care providers, CDDS, CDC, CDPH, and local health departments.

Licensees shall continue to comply with standards that have not been waived in this PIN's statewide waiver or pursuant to a different individual waiver or exception granted by CDSS. Licensees may continue to request individual waivers for standards not included in the statewide waiver in accordance with [PIN 20-04-CCLD](#). Please also see [PIN 20-06-ASC](#) for additional waiver information.

Requirements for Ongoing Compliance with Waiver; Rescission or Modification

When implementing the visitation waiver, each facility must comply with the following terms and conditions:

1. A licensee's revised policies that are impacted by the waiver shall be developed in compliance with the most recent CDC, CDSS, CDDS, CDPH, and/or local health department COVID-19 guidance; be readily available for the public's review; and a copy shall be provided to the CDSS Regional Office.
2. A licensee must inform the person in care and their responsible party of any revised policy impacted by the waiver.

3. If the licensee is required by other government authorities such as a local public health order to restrict visitation beyond those restrictions allowed under this waiver, the licensee should notify its regional office of those requirements.
4. CDSS may rescind or modify this waiver based upon new federal, state or local directives or guidance, or if it determines a facility does not meet the terms and conditions of this statewide waiver, or an individual waiver, as applicable.

Effective Dates of Statewide Waiver

The terms of the State Public Health Officer Order supersede any conflicting terms in any other CDPH orders, directives, or guidance, or CDSS guidance in other PINs. The Order is not intended to revoke or withdraw any prior orders. This Order took effect on January 7, 2022 and terms of the PIN took effect on January 7, 2022. Facilities must be in full compliance at this time. This Order and PIN requirements will remain in effect until February 7, 2022, and CDPH and CDSS will continue to assess ongoing conditions during this time to determine any further updates.

BEST PRACTICES FOR VISITATION

Licensees should adhere to the following best practices that reduce the risk of COVID-19 transmission during visitation. Visitors should be asked to reschedule their visit if they are unable to adhere to COVID-19 infection prevention and control measures.

- Limit the number of visitors on the facility premises at any one time to avoid having large groups congregate (based on the size of the building and physical space).
- To the extent possible, designate one area to enter the facility and a different area to exit the facility.
- Increase ventilation or circulation of fresh air as much as possible (e.g., open windows, use fans, etc.).
 - Do not open windows and doors if doing so poses a safety or health risk (e.g., risk of falling, triggering asthma symptoms) to residents, staff, and visitors using the facility.
- Limit visitor movement in the facility. For example, visitors should not walk around different halls of the facility. Rather, visitors should keep at least six (6) feet distance from staff and go directly to and from the designated visitation area.
- Encourage shorter indoor visits and longer outdoor visits.
- Add signage at entrances outlining proper mask wearing, visitation guidelines, hand hygiene, specified entries, exits, and routes, and current physical distancing practices in use at the entrance and throughout facility premise.
- Educate visitors on how to monitor themselves for COVID-19 symptoms.
- Designate handwashing stations for visitors or provide alcohol-based hand sanitizer for visitor use.

- Request visitors limit contact with others as much as practicably possible when outside the facility.
- Record name and contact information for individuals entering the facility for possible contact tracing at a later date.
- Clean and disinfect frequently touched surfaces in the facility often and visitation areas after each visit.

ADDITIONAL RESOURCES

The following resources are available online:

- Centers for Disease Control and Prevention (CDC)
 - [Coronavirus Disease 2019](#)
- California Department of Social Services (CDSS)
 - [Community Care Licensing Division homepage](#) (includes all COVID-19 related materials (Provider Information Notices (PINs) and other resources)
- California Department of Public Health (CDPH)
 - [All COVID-19 Guidance](#)
 - [Find a Testing Location](#)
- [Local health departments](#)

If you have any questions, please contact your local [Adult and Senior Care Regional Office](#).