

May 5, 2020

The Honorable Larry Householder  
Speaker of the Ohio House of Representatives  
Riffe Center, 14<sup>th</sup> Floor, 77 S. High St.  
Columbus, OH 43215

The Honorable Larry Obhof  
Ohio Senate President  
Statehouse, One Capital Square, 2<sup>nd</sup> Floor  
Columbus, OH 43215

Dear Speaker Householder and Senate President Obhof:

On behalf of our 1.5 million members and all older Ohioans, we appreciate the dedication with which our state's leaders have responded to the coronavirus pandemic, as well as the ongoing efforts required as we move forward. While the severe health impacts of COVID-19 can occur across all ages, the data clearly show that the novel coronavirus is having a particularly detrimental effect on older Ohioans. Furthermore, older adults with underlying medical conditions living in nursing homes and other adult care facilities, as well as those receiving care at home are among those at the highest risk of death from COVID-19. A disproportionate percentage of US deaths due to COVID-19 has come from nursing facility residents (27%).<sup>[1]</sup> Ohio has seen this same disturbing trend (30%).<sup>[2]</sup>

The gravity of the present challenge will require new policies, additional resources, and new investments to address the changing and growing needs of Ohio's most vulnerable older population. Importantly, several issues require immediate attention to ensure that we are protecting the most vulnerable Ohioans. We have urged the Governor and his administration to step up protection efforts for long-term care facilities. Most pressing are measures that ensure that personal protective equipment (PPE) and testing is readily available in all long-term care facilities and help long-term care facilities facilitate virtual visitation between residents and their family and friends.

Additionally, we are asking you to consider the following urgent issues as you deliberate legislation to address the COVID-19 crisis:

**Access to Personal Protective Equipment & Testing** – Personal protective equipment is essential to efforts to reduce the spread of the virus. The Centers for Medicare and Medicaid Services (CMS) issued guidance on April 2 that nursing home staff should use full PPE when they have direct contact with known or suspected COVID-positive residents and masks when while they are in the facility. Yet, we know Ohio is facing supply shortages for all health care workers and first responders. We strongly recommend that the state take immediate steps to ensure that staff caring for individuals in nursing homes, assisted living communities, and home and community-based settings have proper PPE, and that staff are using them.

To the extent possible, we believe it is crucial for both the staff and residents of Ohio's long-term care facilities to have ready access to testing. This testing will help control the spread of the virus among the resident population and the community at large, as staff, emergency health

care providers, on-site maintenance contractors, and others come and go from the facilities. AARP believes the state must take immediate steps to ensure full access to testing for staff and residents of long-term care facilities.

**Virtual visitation** – Both CMS and the Ohio Department of Health have issued guidance to nursing homes, which effectively prohibit visitors from entering facilities during the pandemic. Such measures are understandable, given the concentration of COVID-19 cases in facilities. However, a lack of visitors should not result in social isolation. Requiring nursing home residents to go without any visits from loved ones since March 13 is extremely serious, putting the emotional, mental, physical, and social well-being of nursing home residents at risk.

For some residents, these virtual visits may be the difference between life and death. We urge the legislature to require nursing homes, assisted living, and other residential care facilities where visitors are restricted to make available and facilitate virtual visitation via video conference or other technologies for residents and their loved ones. Because residents may need assistance to use technology to communicate with their loved ones, the state should ensure adequate support is provided to residents to facilitate virtual visitation. Where possible, we recommend that the state prioritize the use of appropriate federal funds for technology, administrative fines on facilities, or civil money penalties to purchase necessary virtual visitation equipment.

**Extending certain emergency policies** – Since the beginning of the crisis, Governor DeWine and his administration have waived several policies that are of great benefit to Ohioans. We believe that several of these items need extended or made permanent.

Specifically, we recommend that you take action to extend the moratorium on utility shutoffs. The ability to maintain safe, affordable, and reliable utility service is critical to comply with stay-at-home orders and to remain engaged with work, education, and loved ones while preventing the spread of the virus.

We also recommend that you extend the expanded unemployment compensation for employees who do not have access to paid leave. We know this is a critical issue for our members since older workers are often forced to seek lower-paying temporary or part-time work without healthcare benefits.

Finally, we recommend that you make permanent expanded telemedicine options (see Governor DeWine's telehealth Executive Order 2020-05D). Since greater availability of telehealth services would increase access to health providers, including specialists, facilitate the sharing of clinical information for evaluation, and improve remote patient monitoring.

**Telecommunications & Broadband** – At a time when teleworkers, remote student learners and the demand for telemedicine are all increasing, access to robust telecommunications and high-speed internet networks is critical.

Likewise, those living alone, as well as residents of nursing homes and assisted living facilities, who are seeking ways to stay connected to family, friends, and medical care must have access to virtual communication. These options can be essential to one's emotional, mental, physical, and social well-being. As such, we believe now is the time to strengthen and act on House Bill 13, pending legislation to assist in the expansion of affordable broadband throughout Ohio.

**Scope of Practice** – While we are very supportive of the efforts made by the legislature through Substitute House Bill 197 to remove certain barriers for certified registered nurse anesthetists (CRNA), we believe that more must be done. The challenges facing the front lines of our

healthcare system during this crisis are critical, especially considering that even before the pandemic, 67 Ohio counties had a Primary Care Health Professional Shortage Area (HPSA) designation. As this crisis continues to evolve, we want to continue highlighting another opportunity that has the potential to help in the fight: lifting the barriers that prevent advanced practice registered nurses (APRNs) from practicing the full extent of their training and education.

Currently, in Ohio, APRNs must work under a collaborative agreement with physicians and cannot perform certain functions within their training. AARP Ohio has long fought to ensure that patients can fully benefit from the care APRNs are educated and trained to provide, and the current crisis makes that need even more urgent. We recognize that during a health emergency, APRNs can be critical front line health professionals, approving tests, signing death certificates, and other similar tasks.

**General Election Voting** – With voters set to go to the polls on November 3, we believe that Ohio should take action now to ensure that all registered voters can cast their ballots safely. The Centers for Disease Control and Prevention (CDC) reports that people over 65 years of age and those with serious health conditions such as heart disease, diabetes, and lung disease seem to be at the highest risk for severe illness and even death from COVID-19 related illness. To protect voters, election officials, and volunteers who staff polling locations, many of whom are retirees, we believe Ohio should begin efforts now to develop alternative means for a voter to cast their ballot. Older Ohioans should not have to risk their lives or their health to exercise their right to vote.

Specifically, AARP Ohio is recommending that Ohio take whatever steps are necessary to enable the state to send an absentee ballot to all registered voters. This would be especially useful for those in long-term care centers, medical facilities, or quarantined due to the virus. AARP Ohio has been very active in working with Secretary of State Frank LaRose to educate all Ohioans about the extended primary deadline and necessary steps to participate. Based upon this experience, we understand that it is critical to decide on alternatives for voting in the general assembly as soon as possible to ensure enough time to provide voter education to Ohioans.

These are challenging times for all of Ohio's residents, and at no time has it ever been more critical to have an agenda that takes into consideration the unique circumstances affecting aging Ohioans. As Ohioans look toward our elected officials for leadership, we at AARP look forward to working with you to protect and support older Ohioans. My staff will follow up with your offices to set up a time to discuss these matters.

We look forward to serving as a resource to you and your staff as we all work together to meet the unique challenges presented by the coronavirus pandemic. Thank you for your prompt attention to these issues of great importance to our members and older Ohioans.

Sincerely,



Holly Holtzen, Ph.D. AARP Ohio State Director

[1] <https://www.kff.org/medicaid/issue-brief/state-reporting-of-cases-and-deaths-due-to-covid-19-in-long-term-care-facilities/>

[2] Data through April 28. <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/dashboards/key-metrics/mortality>