



Secretarial Order No. 4: Mandatory Testing for Staff in Nursing Homes DHHS Guidance Publication Date: September 23, 2020

Introduction

Secretarial Order No. 4: Mandatory Testing for Staff in Nursing Homes (the Order) went into effect on 9/21/2020. This Order replaces [Secretarial Order No. 2](#) and applies only to nursing homes, including nursing home beds in hospital facilities.

The Order aligns DHHS' nursing home testing requirements with federal testing requirements recently published by the federal Centers for Medicare & Medicaid Services (CMS) in [QSO-20-38-NH](#) (the federal requirements).

Key Clarifications between Secretarial Order No. 2 and Secretarial Order No. 4

- Secretarial Order No. 4 expressly includes nursing home beds in hospital facilities.
- Secretarial Order No. 4 allows use of CARES Act funding to cover testing of all staff within combination facilities that have HAL/ACH-licensed beds within the same building as nursing home-licensed beds.
- Secretarial Order No. 4 modifies Secretarial Order No. 2's bi-weekly survey/routine testing schedule to align with the Routine Testing Interval table established in [QSO-20-38-NH](#).
- Like Secretarial Order No. 2, Secretarial Order No.4 covers nursing homes that do not participate in the federal Medicare/Medicaid programs.
- For additional clarifications, please review the Secretarial Order No. 4 and upcoming training materials.

Reporting

Nursing homes will continue submitting testing data through [The COVID-19 Testing: Nursing Home Reporting Portal](#) (the Portal), established under Secretarial Order No. 2. Nursing homes will continue to submit information every other week using the "reporting period" schedule established under Secretarial Order No. 2. A nursing home will be required to report all testing activity as determined by its county positivity rate, including twice a week testing in counties with high positivity rates.

To streamline the reporting process, nursing homes are strongly encouraged to align their monitoring schedule of the applicable county positivity rate with the reporting period.

The Portal will reflect the testing frequency modifications made under Secretarial Order No. 4. Nursing homes will begin reporting testing data consistent with the Order in for the reporting period covering September 28, 2020 through October 11, 2020 (Reporting Period 4). Reporting Period 4 testing data will be due on Monday, October 19, 2020.

As noted in Secretarial Order No. 4, DHHS testing reporting requirements do not modify or abridge the nursing home's responsibility to comply with federal reporting requirements.

Training Opportunities and Additional Materials

To assist nursing homes under Secretarial Order No. 4, DHHS will **host Office Hours on Thursdays from 10:00 – 11:00 a.m. for the next three weeks**. The dates of the Office Hours are as follows:

- September 24, 2020
- October 1, 2020
- October 8, 2020

The purpose of these office hours is to provide:

- Policy guidance on how state requirements align with federal testing requirements;
- Guidance on submitting data through the COVID-19 Testing: Nursing Home Reporting Portal; and
- Provide additional COVID-related updates to the nursing home provider community.

To join the weekly Office Hours please register using this link:

<https://attendee.gotowebinar.com/register/1622627784237409547>

Additional training materials are being updated and developed to support nursing homes in implementing Secretarial Order No. 4. Updated materials will soon be posted in NC Medicaid's Status Reporting for Reimbursement webpage, found [here](#).

Questions

If your facility participates in the Medicare/Medicaid program and you have questions about the federal requirements referenced in this guidance, please contact: Cindy Deporter at cindy.deporter@dhhs.nc.gov or Becky Wertz at becky.wertz@dhhs.nc.gov

If you have questions about CDC testing requirements, please contact your local health department.

If you have questions about the *COVID-19 Testing: Nursing Home Reporting Portal* or other questions not addressed here, please contact: Medicaid.ProviderReimbursement@dhhs.nc.gov.