Congress of the United States
Washington, DC 20515

March 8, 2021

Acting Administrator Liz Richter
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Acting Administrator Richter,

We are writing to you regarding guidance that the Centers for Medicare and Medicaid Services (CMS) has in place for nursing home visitations during the COVID-19 public health emergency.

On March 13, 2020, CMS issued guidance to restrict access for visitors and non-essential health care personnel, except for certain, limited compassionate care situations. We understand and appreciate the need for the restrictions initially put in place to slow the spread and protect residents of nursing home facilities. Following months of regularly-updated guidance to state and local officials regarding nursing home visitation, CMS has failed to issue any updates since September 17, 2020. This most recent guidance is outdated and needs to be revised based on new knowledge regarding virus transmission and the aggressive vaccination program that has prioritized residents and workers in these facilities.

This month marks one full year since the initial declaration of the COVID-19 public health emergency. Since that time, nursing home residents have been isolated from their loved ones, restricted from moving about their facilities, and often forced to stay in their own rooms for weeks on end. Such measures were necessary as this nation grappled with a deadly pandemic and a virus that put the health of our elderly at the most significant risk. However, we submit to you that such aggressive and isolating restrictions are no longer necessary.

Advancements in mitigation practices, therapeutics, and better availability of personal protective equipment have resulted in countless lives saved. Most recently, vaccine distribution and prioritization of those living in nursing homes and long-term care facilities has delivered a long-awaited light at the end of the tunnel for millions of Americans and their loved ones. As we look ahead to a regained sense of normalcy, we urge CMS to update the guidance issued six months ago and allow residents of nursing homes the opportunity to live their lives with more normal, regular interaction with their friends and family.

Social isolation and loneliness resulting from mitigation efforts come with their own inherent public health risks equally worthy of urgent consideration. Revoked visitor access, forced in-room isolation, and no access to daily activities have greatly affected the mental health of these individuals and their loved ones.

Lacking updated guidance from CMS, many states are keeping senior care facilities locked down, despite residents and care workers receiving, or being given the opportunity to receive, vaccinations. In Ohio, assisted living facilities are being subjected to the same restrictions. Such rigorous measures are no longer necessary and are arguably causing more harm than good at this point.

We believe the nationwide vaccine rollout, paired with a steady decline in cases and deaths, presents an opportune time for reevaluating outdated guidance. Proper safety measures can ensure continued progress in the decline in these trends.

As states continue to safely ease restrictions on schools, restaurants, bars, and sporting events, we urge you to move swiftly to update your guidance and provide nursing home residents and their families with much-needed relief. We would appreciate the opportunity to work with you and your staff and thank you for your immediate attention to this urgent matter.

Sincerely,

Troy Balderson
Member of Congress

Steve Stivers
Member of Congress

Warren Davidson
Member of Congress

Anthony Gonzalez
Member of Congress

Steve Chabot
Member of Congress

Mike Turner
Member of Congress

Bob Gibbs
Member of Congress

Bob Latta
Member of Congress

Brad Wenstrup, D.P.M.
Member of Congress

Bill Johnson
Member of Congress

Dave Joyce
Member of Congress