



State of New Jersey
DEPARTMENT OF HEALTH
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

EXECUTIVE DIRECTIVE NO. 21-001 (REVISED)

Visitation Protocols Supplementing Executive Directive No. 20-026 for the Resumption of Services in all Long-Term Care Facilities licensed pursuant to N.J.A.C. 8:43, N.J.A.C. 8:39, N.J.A.C. 8:36 and N.J.A.C. 8:37 and Executive Directive No. 20-025 for Protocols and Conditions for Visitation of Pediatric, Developmentally Disabled, Intellectually Disabled Residents and Residents with Major Neurocognitive Disorder or Serious Mental Illness in Long-Term Care Facilities Licensed Pursuant to N.J.A.C. 8:39

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the respiratory illness caused by the SARS-CoV-2 virus; and

WHEREAS, symptoms of the COVID-19 illness include fever, cough and shortness of breath, which may appear in as few as two or as long as 14 days after exposure, and can spread from person to person via respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, on March 9, 2020, Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

WHEREAS, the Public Health Emergency has been extended by Governor Murphy by Executive Orders and continues to remain in effect; and

WHEREAS, Executive Directive 20-013, issued on May 20, 2020, instituted a testing requirement for COVID-19 in New Jersey licensed Long-Term Care Facilities, Assisted

Living Residences, Comprehensive Personal Care Homes, Residential Health Care Facilities, and Dementia Care Homes (collectively “LTCFs” or “facilities”); and

WHEREAS, LTCFs have been heavily impacted by COVID-19 and the New Jersey Department of Health (NJDOH) has taken an aggressive approach to detection of and response to the virus in these vulnerable populations; and

WHEREAS, on August 31, 2020, the Department of Health issued Executive Directive No. 20-025 (Revised), entitled Protocols and Conditions for Visitation of Pediatric, Developmentally Disabled, Intellectually Disabled Residents and Residents with Major Neurocognitive Disorder or Serious Mental Illness in Long-Term Care Facilities Licensed Pursuant to N.J.A.C. 8:39; and

WHEREAS, on January 6, 2021, the Department of Health issued Executive Directive No. 20-026 (Revised), setting forth a phased approach to reopening facilities; and

WHEREAS, COVID-19 vaccines received Emergency Use Authorization from the United States Food and Drug Administration; and

WHEREAS, on March 22, 2021, the Department of Health issued Executive Directive No. 21-001, setting forth Visitation Protocols Supplementing Executive Directive No. 20-026; and

WHEREAS, as of May 11, 2021, approximately 146,759 doses of COVID-19 vaccine have been administered to individuals in congregate settings, including LTCF residents; and

WHEREAS, since COVID-19 vaccines have been administered to LTCF residents and staff, and these vaccines have been shown to help prevent symptomatic infection, CMS, in conjunction with the CDC, updates [visitation guidance](#) accordingly; and

WHEREAS, CMS and CDC continue to emphasize the importance of maintaining infection prevention practices in LTCFs, given the continued risk of COVID-19 transmission;

NOW, THEREFORE, I, JUDITH PERSICILLI, Commissioner of the Department of Health, pursuant to the powers afforded to me under the Emergency Health Powers Act, hereby **ORDER** and **DIRECT** the following:

The provisions in this Executive Directive apply to all residential healthcare facilities Long-Term Care Facilities, Assisted Living Residences, Comprehensive Personal Care

Homes, Residential Health Care Facilities, and Dementia Care Homes as defined in N.J.S.A. 26:2H-12.87¹; and N.J.A.C. 8:43, N.J.A.C. 8:39, N.J.A.C. 8:36 and N.J.A.C. 8:37.

The provisions in this Executive Directive also apply to long-term care facilities licensed pursuant to N.J.A.C. 8:39.

1. This Executive Directive supplements but does not supersede Executive Directive Nos. 20-025 and 20-026.
2. This Executive Directive supersedes Executive Directive No. 20-021 issued on March 22, 2021.
3. Facilities covered by this Executive Directive shall continue to comply with Executive Directives Nos. 20-025 (Revised) and 20-026 (Revised) as well as the attached protocols regarding visitation, testing, group activities, and the provision of services for residents after vaccinations, as amended and supplemented.
4. If any provisions of the attached protocols conflict with Executive Directive Nos. 20-025 (Revised) and 20-026 (Revised), the visitation protocols attached to this Directive shall control.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect for the duration of the public health emergency originally declared in Executive Order No. 103 (2020), and as extended by Executive Order, unless otherwise modified, supplemented and/or rescinded.



Dated: May 12, 2021

Judith M. Persichilli, RN, BSN, MA

¹ As defined in N.J.S.A. 26:2H-12.87, long-term care facility means a nursing home, assisted living residence, comprehensive personal care home, residential health care facility, or dementia care home licensed pursuant to P.L. 1971, c. 136 (C.26:2H-1 et seq.).