



## DALLAS COUNTY

### **AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS REGARDING LONG-TERM CARE FACILITIES**

DATE ORDER ISSUED: April 18, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, County Judge Clay Jenkins issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. This Order shall be in effect beginning at 11:59 p.m. on April 18, 2020 and continuing until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities, including Skilled Nursing Facilities and Assisted Living Facilities, and Nursing Homes (henceforth referred to as "Facilities") in Dallas County, Texas.
3. If a resident of a Facility is identified with a COVID-19 diagnosis, the Facility shall do the following:
  - a. Immediately notify all staff (from all levels of care or any job description within the Facility) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
  - b. All residents (in all levels of care within the Facility) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-



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19. If the Facility learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The Facility shall insure that the notification is documented and maintained in its records, including noting the time and method of delivery of the notification.
- c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email.
  - d. The Dallas County Probate Courts shall be informed immediately that a resident of the facility has been diagnosed with COVID-19. The Facility shall send notification by email to LaNasha D. Houze, Director of Operations for the Dallas County Probate Courts, at [LaNasha.Houze@dallascounty.org](mailto:LaNasha.Houze@dallascounty.org).
  - e. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the Facility and prominently displayed on the Facility website. This website posting must be on the Facility local webpage in addition to the Facility corporate website.
  - f. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.
4. If an Facility has any resident with a diagnoses of COVID-19, the Facility shall institute the following measures within the same level of care:
- a. All health care personnel must wear facemasks while in the Facility and consider having all health care personnel wear all recommended personal protective equipment ("PPE") (gown, gloves, eye protection, N95 respirator or, if not available, a facemask) for the care of all residents, regardless of presence of symptoms. The Facility should also implement protocols for extended use of eye protection and facemasks. The Facility shall insure that all health care personnel must have temperature and symptom checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
  - b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation. Facilities cannot accept new admissions until the Facility goes 30 consecutive days without any COVID-19 diagnosis of a resident or staff member. This provision does not apply to a COVID-19 Facility, as designated by the Dallas County Health Authority, which receives convalescing COVID-19 patients from acute care hospitals.
  - c. Any and all of the staff at the Facility shall not work at any Facility other than the impacted Facility, and the administrator any Facility shall keep a list of all employees who have worked at any other Facilities, including the name and contact information for the administrator at the other Facility.
5. Any standards prohibiting improper transfer of patients will be strictly enforced.



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6. If a Facility has any resident with a diagnoses of COVID-19, the Facility may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the Facility must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home for 14 days. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

7. If a Facility has any resident with a diagnosis of COVID-19, the Facility may allow transfer of a resident to a hospital, but only after the Facility has provided notice to the receiving hospital that the patient is coming from a Facility with identified COVID-19. If the patient is transferred by ambulance, the Facility must also provide notice to the ambulance providers that the patient is coming from a Facility with identified COVID-19. The hospital may transfer the resident back to the same Facility that initially transferred the patient.

8. Facilities can accept convalescing (recovering) patients with COVID-19 if they are no longer deemed infectious as per CDC and local health authority guidelines.

9. The Facility shall inform the Texas Health and Human Services Commission of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.

10. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED**

**CLAY JENKINS  
DALLAS COUNTY JUDGE**



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### DCHHS Social Distancing Rules

#### 1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
  - 60 years old and older.
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

#### 2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

#### 3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
  - Having hand washing capabilities, hand sanitizers and tissues available.
  - Frequently cleaning high touch surface areas like counter tops and hand rails.
  - Finding ways to implement social distancing..

#### 4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

#### 5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



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### **6) Health Care Settings: Avoid as possible, protect the vulnerable**

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

### **7) Everyone: Do your part**

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.