

September 11, 2020

Re: Staff reporting to work with symptoms or sick

All Licensed Long-Term Care Facilities:

All long-term care facilities work with the most vulnerable population to the COVID-19 virus. Governor Michelle Lujan Grisham and Secretary Kathyleen Kunkel have repeatedly told New Mexicans if they are sick or have symptoms do not report to work. This mandate is also included in the COVID Safe Practice for Individuals and Employers issued by the Governor's Office on August 27th. The guide can be found [here](#).

Pursuant to the March 26, 2020 directive all long-term care facilities are required to screen staff prior to entering the facility. Any staff that fail the screening process should not be allowed in the facility and any **staff reporting signs and symptoms of illness cannot report to work.**

Staff that have had exposure to a known positive individual outside of the facility should not report to work.

For staff who are confirmed COVID-19 positive

Maintain isolation at home and do not report to work until:

1. At least 10 days have passed since symptoms first appeared; AND,
2. At least 1 day (24 hours) has passed with no fever; AND
3. Symptoms have improved

For COVID-19 positive staff without symptoms

Maintain isolation at home and do not report to work until:

1. At least 10 days have passed since the date of the first positive test

For staff who had close contact with a COVID-19 positive case

Maintain isolation at home and do not report to work until:

1. You have completed your quarantine period of at least 14 days since the date of the last exposure to the confirmed case.
2. Close contacts are encouraged to get tested. Testing should occur toward then of the quarantine period before returning to work. A negative test does not end the quarantine period, the full 14 days of quarantine must be observed.
3. If close contacts develop symptoms they should be tested as soon as possible
4. If test is positive, follow guidance above.

More information on isolation and quarantine can be found in the New Mexico Department of Health COVID containment policies found [here](#)

DIVISION OF HEALTH IMPROVEMENT

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Having symptomatic or sick staff come to work is a direct violation of the public health orders and DHI has deemed this is an immediate risk to the resident and places them in danger. Reports of LTC's requiring sick or symptomatic staff to report to work will be treated as abuse or neglect of residents and is grounds for sanctions or civil penalties pursuant to NMAC 7.9.2.18(G) and 7.8.2.13(C)(1).

Finally, facilities are required to track and report staff working at multiple facilities to the Aging and Long-Term Services Department. If staff work at multiple facilities and a facility becomes a "hot spot", that employee should only be permitted to work at the hot spot facility and no others.

Facilities should also be aware of their obligations pursuant to the Occupational Safety and Health Administration (OSHA) through the New Mexico Environment Department. Should you have questions please contact me at 505-252-4494.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Burmeister", with a long horizontal line extending to the right.

Christopher Burmeister
Division of Health Improvement Director