

# Exhibit 37

Letter from CA Department of Social Services

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**RE Pauline Rice and Depart Soc. Services "Guidelines"**

2 messages

**Shawn Rice** <shawnriceandassociates@gmail.com>

Tue, Sep 7, 2021 at 6:19 PM

To: briantaube@rvseniorliving.com

Cc: 4rattrayandco@gmail.com, youngones@wwdb.org, fabulous.deborah@gmail.com, drrobbratray@gmail.com

Mr. Taube,

I am the son of Pauline Rice, room 252.

I am in receipt of your document regarding your company's requirements for visitors (starting 9 September 2021) having either; 1. "Vaccine" shot card, or 2. Proof of negative PCR testing.

As I requested from your front door secretary, I am requesting that your company provide me with a copy of the alleged "Guidelines" upon which you are relying to make such a "requirement." This is not about Brian Taube. I am simply seeking the authority upon which your Private company is relying.

I would prefer that you send me a pdf copy of the "order" that you are relying upon rather than guidelines from an administrative agency whose foundational premises were ruled "strains credulity."

I refer your attorneys to review the case of Alabama Association of Realtors v. Department of Health and Human Services, 594 U.S. \_\_\_\_\_ (Aug. 26, 2021). "...the CDC has imposed a nationwide moratorium on evictions in reliance on a decades-old statute that authorizes it to implement measures like fumigation and pest extermination. **It strains credulity to believe that this statute grants the CDC the sweeping authority that it asserts.**"See [www.supremecourt.gov](http://www.supremecourt.gov)21A23 Alabama Assn. of Realtors v. Department of Health and Human Servs. (08/26/21) ([supremecourt.gov](http://www.supremecourt.gov))[https://www.supremecourt.gov/opinions/20pdf/21a23\\_ap6c.pdf](https://www.supremecourt.gov/opinions/20pdf/21a23_ap6c.pdf)

- PCR testing does not work and is EUA

- The "Vaccine" (an admitted "biowarfare agent" or "synthetic pathogen") is EUA

- the FDA did not approve of the Pfizer "vaccine" but it did renew the EUA

- Nuremberg Rules apply

- Criminal Liability attaches

- 9,000 people die per week from "the jab" and Michael Green, Esq. of Hawaii is suing class action on behalf of 45,000 who have died in the US alone.

Thank you,  
ST Rice, J.D.

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**Brian Taube** <briantaube@rvseniorliving.com>

Wed, Sep 8, 2021 at 11:00 AM

To: Shawn Rice &lt;shawnriceandassociates@gmail.com&gt;

Cc: "4rattrayandco@gmail.com" &lt;4rattrayandco@gmail.com&gt;, "youngones@wwdb.org" &lt;youngones@wwdb.org&gt;,

"fabulous.deborah@gmail.com" &lt;fabulous.deborah@gmail.com&gt;, "drrobbratray@gmail.com" &lt;drrobbratray@gmail.com&gt;

Hello Mr. Rice,

The following is a link to the Department of Social Services (DSS) website posting of the updated visitation waiver. <https://www.cdss.ca.gov/Portals/9/CCLD/PINs/2021/ASC/PIN-21-40-ASC.pdf>.

Thank you for the additional information. If you have any questions please don't hesitate to reach out.

Best regards,

Brian

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**From:** Shawn Rice <shawnriceandassociates@gmail.com>**Sent:** Tuesday, September 7, 2021 6:19 PM**To:** Brian Taube <briantaube@rvseniorliving.com>

**Cc:** 4rattrayandco@gmail.com <4rattrayandco@gmail.com>; youngones@wwdb.org <youngones@wwdb.org>; fabulous.deborah@gmail.com <fabulous.deborah@gmail.com>; drrobbrattray@gmail.com <drrobbrattray@gmail.com>

**Subject:** RE Pauline Rice and Depart Soc. Services "Guidelines"

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**KIM JOHNSON**  
DIRECTOR



**GAVIN NEWSOM**  
GOVERNOR

August 27, 2021

PIN 21-40-ASC  
**(Supersedes PIN 21-17.2-ASC in part)**

TO: ALL ADULT AND SENIOR CARE PROGRAM RESIDENTIAL  
LICENSEES

FROM: *Original signed by Kevin Gaines*  
KEVIN GAINES  
Deputy Director  
Community Care Licensing Division

SUBJECT: **UPDATED STATEWIDE VISITATION WAIVER, AND TESTING AND  
VACCINATION VERIFICATION GUIDANCE FOR VISITORS RELATED  
TO CORONAVIRUS DISEASE 2019 (COVID-19)**

**Provider Information Notice (PIN) Summary**

PIN 21-40-ASC supersedes in part [PIN 21-17.2-ASC](#), dated May 14, 2021, related to the Visitation Waiver and processes for verifying the vaccination status of all visitors, COVID-19 diagnostic tests of visitors who are unvaccinated or incompletely vaccinated, and adds a requirement that licensees obtain and track documentation of vaccination or COVID-19 diagnostic tests of visitors who are unvaccinated or incompletely vaccinated, in order to have an indoor visit. This PIN also supersedes in part PIN 21-17.2-ASC related to Best Practices for Visitation.

***Please post/keep this PIN in the facility where residents can easily access it and distribute the PIN Summary for Residents (located at the end of this PIN) to residents and, if applicable, their representatives.***

According to the California Department of Public Health (CDPH) and the State Public Health Officer, as transmissible variants of the SARS-CoV-2 (COVID-19) virus circulate in California, cases are rising rapidly, and the vast majority of cases are occurring in unvaccinated individuals. Despite the availability of safe and highly effective COVID-19

vaccination, many individuals remain unvaccinated and are at high risk of acquiring COVID-19 and exposing residents and staff of adult and senior care (ASC) facilities to the virus.

In an ongoing effort to ensure resident safety, and to minimize the spread of COVID-19 among vulnerable individuals, CDPH issued a State Public Health Officer Order:

- [State Public Health Officer Order of August 5, 2021 \(Amended August 26, 2021\)](#).

The State Public Health Officer Order requires ASC facilities to develop and implement processes for verifying the vaccination status of all visitors seeking indoor visitation, and for obtaining and tracking documentation of COVID-19 diagnostic tests of all visitors who are unvaccinated or incompletely vaccinated seeking indoor visitation.

In accordance with the State Public Health Officer Order, this PIN provides specific updates to the statewide waiver related to visitation, requiring ASC facilities to develop and implement processes for verifying the vaccination status of all visitors seeking indoor visitation or for visitors who are unvaccinated or incompletely vaccinated, a negative COVID-19 diagnostic test that occurred within 72 hours before each indoor visit. This does not apply for outdoor visits, visits where death may be imminent, and certain essential visitors. This PIN also requires ASC facilities obtain and track documentation of vaccination and COVID-19 diagnostic tests for all visitors who are unvaccinated or incompletely vaccinated seeking indoor visitation. This PIN also supersedes in part PIN 21-17.2-ASC related to Best Practices for Visitation. In addition, all visitors, regardless of vaccination status or test result, must wear a well-fitting face mask (surgical mask or double mask is recommended) (see [PIN 21-38-ASC](#) and [CDPH Guidance for the Use of Face Coverings](#)), wear any other personal protective equipment (PPE) while in the resident's room that facility staff deem appropriate to the situation (see [PIN 21-12-ASC](#)), and physically distance from facility staff and other residents/visitors that are not part of their group at all times while in the facility.

**This PIN shall take effect immediately, except for provisions related to visitor vaccination, visitor testing, and vaccination verification and recordkeeping requirements, which shall take effect on September 9, 2021 in accordance with the State Public Health Officer Order.**

**Note:** [PIN 21-17.2-ASC](#)'s guidance in Section C. Communal Dining, Group Activities, And Non-Essential Services; Section D. Residents Returning From Outings; Section E. New Admissions; and Section F. Entertainment, remains in effect except as updated by or clarified in this PIN.

Licensees should continue to follow guidance in all applicable California Department of Social Services (CDSS) [PINs](#) in addition to guidance or instructions from:

- Health care providers;
- [Centers for Disease Control and Prevention \(CDC\)](#);

- [California Department of Public Health \(CDPH\)](#);
- [California Department of Developmental Services \(CDDS\)](#);
- [California Department of Industrial Relations \(DIR/ Cal/OSHA\)](#); and
- [Local health departments](#).

*If there are differing requirements between the most current CDC, CDPH, CDSS, CDDS, Cal/OSHA, and local health department guidance or health orders, **licensees should follow the strictest requirements**. However, there may be times where a licensee will need to contact their Regional Office for assistance in reconciling these differences, especially if the strictest requirements appear to be in conflict with the best interest of residents.*

## **STATEWIDE WAIVER OF LICENSING STANDARDS FOR VISITATION**

In response to a surge in COVID-19 cases in California, on August 16, 2021, Governor Newsom issued [Executive Order N-12-21](#), which extends CDSS' waiver authority issued pursuant to the Governor's March 4, 2020, Proclamation of a State of Emergency ("Proclamation"), and permits facilities operating under existing CDSS COVID-19 waivers to continue operating pursuant to such waivers through the expiration date set forth by CDSS, or December 31, 2021, whichever occurs first. Pursuant to the Governor's Proclamation and consistent with the August 5, 2021 (amended August 26, 2021), State Public Health Officer Order, CDSS is waiving certain licensing requirements applicable to visitation in ASC licensed facilities, subject to the terms and conditions set forth in this PIN.

### **Visitation Waiver**

**Note:** This waiver SUPERSEDES the Visitation Waiver in [PIN 21-17.2-ASC](#), dated May 14, 2021, and provides updates related to proof of vaccination or testing of visitors, and recordkeeping of vaccination or testing of **visitors seeking indoor visits**.

Visitation requirements are waived and indoor visitation shall be permitted only in accordance with the requirements in this waiver. Visitation shall also be limited or modified as described below.

During the time when regular visitation is limited, facilities shall make arrangements for alternative visitation (see *Outdoor Visitation, Virtual Visitation, and Exceptions to Visitation Waiver* sections below). Visits and communications as described in this waiver shall allow for private and/or confidential communications.

This waiver applies to the right of a person to visitation and the personal right to associate with other persons in care under Health and Safety Code (HSC) sections 1512, 1569.269, 1569.313, and 1771.7; California Code of Regulations (CCR), Title 22, Division 6, sections 80072, 81072, 85072, 87468, 87468.1, 87468.2, and 87872.

## General Visitation Requirements for Licensees

For any visitor entering the facility, including essential visitors, regardless of their vaccination status, licensees must:

- Designate a facility staff member to conduct initial screening for [COVID-19 symptoms](#) of all individuals entering facility.
- Require the visitor be screened for fever and COVID-19 symptoms, wear an appropriate well-fitting face mask (surgical mask or double mask is recommended; see PIN 21-38-ASC), and wash hands or use an alcohol-based hand sanitizer upon entering the facility. Ask visitors if they had COVID-19 symptoms within the last 24 hours and whether anyone in the individual's home has COVID-19 symptoms or tested positive.
- Exclude any visitors showing COVID-19 symptoms and disinfect surfaces that were within six (6) feet of a symptomatic individual. Discard items that cannot be disinfected or have the symptomatic individual take their items with them.
- Require the visitor maintain at least six (6) feet of physical distancing from individuals, including the resident they are visiting, unless the close contact is permitted as specified below in the *Physical Touch* section.

## Physical Touch (Indoor and Outdoor Visitation)

- Fully vaccinated visitors of fully vaccinated residents may have close contact (including touch, hugs, assisting with activities of daily living, etc.) while both the visitor and the resident perform hand hygiene before and after contact. A fully vaccinated visitor should physically distance from all other individuals while in the facility.
- If a resident is fully vaccinated and the visitor is not fully vaccinated, the resident can choose to have close contact (including touch) with their visitor, whether indoors or outdoors.
- When either the resident or visitor is not fully vaccinated, the safest approach is for everyone to maintain at least six (6) feet of physical distancing.

## Indoor and In-Room Visitation

- Licensees shall allow indoor visitation, including in-room visitation, at all times and for all residents regardless of vaccination status **of the resident**, if the visitor is fully vaccinated or had a COVID-19 test within the previous 72 hours and is negative for the virus, where there is at least six (6) feet or more physical distancing, staff screen visitors and the visitor is asymptomatic, and staff clean and disinfect surfaces, except for a few circumstances when indoor visitation should be limited. These circumstances include limiting indoor visitation for:
  - Residents with confirmed COVID-19 infection, whether vaccinated, unvaccinated, or incompletely vaccinated, until they have met the criteria to discontinue transmission-based precautions.

- Visitors of residents under quarantine should be provided PPE (i.e., gloves, gown, eye protection and N95 respirator) and instructed in an N95 respirator seal check.
- For residents in isolation, licensees should limit indoor in-room visits to essential visits, following appropriate infection prevention guidelines. The licensee should provide and require the visitor wear PPE recommended for facility staff as specified in [PIN 21-12-ASC](#). A visitor of a resident under isolation does not need N95 respirator fit testing but should be instructed on [how to perform a seal check](#).

### **Outdoor Visitation**

Outdoor visits pose a lower risk of transmission due to increased space and airflow; therefore, outdoor visitation is preferred and should be held whenever practicable. At all times when visitation is restricted under this waiver, licensees must allow for outdoor visits on the facility premises if weather permits and where there is at least six (6) feet or more physical distancing, staff screen visitors, and staff clean and disinfect surfaces.

### **Virtual Visitation**

At all times, licensees must allow and provide assistance in arranging for alternative communication for visitors such as phone calls, video calls, and online communications. Licensees shall allow for private and/or confidential alternative communications.

### **Vaccination Verification and Recordkeeping Requirements for Visitors of Residential Facilities (Indoor Visits Only)**

*Becomes effective September 9, 2021 in accordance with the State Public Health Officer Order.*

ASC facilities must either: (1) verify visitors are fully vaccinated, or (2) for unvaccinated or incompletely vaccinated visitors, verify documentation of a negative COVID-19 test.

#### Proof of Vaccination and Recordkeeping

Per [CDPH Guidance for Vaccine Records Guidelines & Standards](#), only the following modes may be used as proof of vaccination:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided, and date last dose administered); OR
- a photo of a Vaccination Record Card as a separate document; OR
- a photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
- documentation of COVID-19 vaccination from a healthcare provider; OR



- digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

In the absence of knowledge to the contrary, facilities may accept the documentation presented as valid.

**Important!** WHO Yellow Card refers to the original World Health Organization International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 vaccine in a foreign country.

See [CDPH Guidance for Vaccine Records Guidelines & Standards](#) for information on how individuals may obtain a record of their vaccination. Also see the [Digital COVID-19 Vaccine Record website \(myvaccinerecord.cdph.ca.gov\)](https://myvaccinerecord.cdph.ca.gov) for a digital copy of vaccine records for vaccinations administered in California.

Facilities must have a plan in place for tracking verified visitor vaccination status or documentation of a negative COVID-19 test. Documentation of the verification must be kept on file at the facility and made available upon request to CDSS, or to the local health jurisdiction for purposes of case investigation.

Visitors who are not fully vaccinated, or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated.

**Important!** People are considered fully vaccinated for COVID-19 two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen).

## **COVID-19 Testing Requirements for Visitors**

*Becomes effective September 9, 2021 in accordance with the State Public Health Officer Order.*

### Negative Test Result

Visitors that are unvaccinated or incompletely vaccinated and are seeking indoor visitation must show documentation of a negative COVID-19 test that occurred within 72 hours before each visit and for which the test results are available at the time of entry to the facility.

### History of COVID-19 Diagnosis Within the Prior 90 Days of Visit

Visitors that are unvaccinated or incompletely vaccinated with a history of COVID-19 diagnosis within the prior 90 days of a visit may continue to test positive for COVID-19

following a full recovery. These individuals may provide documentation of recovery from COVID-19 and release from isolation in lieu of testing. Licensees are encouraged to follow the procedures below.

#### Asymptomatic Infection

In addition to documentation of a positive test result, visitors who had a positive COVID-19 diagnosis within the prior 90 days of the visit and were **asymptomatic** should:

- Provide documentation of their isolation period from the local health department; or
- Wait at least 10 days from the test date before visiting; or
- Provide a signed letter from a medical provider stating that they have not exhibited symptoms and are fully recovered and released from isolation (this letter must be signed at least 10 days after the positive test).

#### Symptomatic Infection

In addition to documentation of a positive test result, visitors who had a positive COVID-19 diagnosis within the prior 90 days and were **symptomatic** should:

- Provide documentation of their isolation period from the local health department; or
- Meet ALL of the following conditions:
  - At least 1 day (24 hours) has passed since recovery, defined as resolution of fever without the use of fever-reducing medications;
  - Improvement in symptoms (e.g., fever, cough and shortness of breath);
  - At least 10 days have passed since symptoms first appeared; or
- Provide a signed letter from a medical provider stating that they are fully recovered and released from isolation (this letter must be signed at least 10 days after the positive test).

#### Test Types and Onsite Testing

Visitors may choose to use an antigen or PCR test to satisfy this requirement. Any PCR or antigen test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

Facilities with a Clinical Laboratory Improvement Amendments of 1988 (CLIA) waiver allowing for antigen testing and facilities participating in the CDPH Antigen Testing Pilot (see [PIN 21-30-ASC](#)) can offer to conduct onsite testing of visitors if practical per facility testing capacity, but are not required to do so.

Please see [PIN 21-11-ASC](#) for options to access testing.

### **Limitation on Visitation for Residents in Isolation; Essential Visits**

For a resident who is in isolation as a result of a COVID-19 positive diagnosis, visitation shall be limited, and the resident shall be provided only **essential visits** which shall include the following:

- Medically necessary visits or other urgent health or legal matters that cannot be postponed (e.g., voting, estate planning, advance health care directives, Power of Attorney, transfer of property title, life-altering change in condition or wellbeing if these tasks cannot be accomplished virtually).
- Compassionate care visits including, but not limited to:
  - End-of-life
  - A resident who was recently admitted to an ASC facility and is struggling with the change in environment and lack of in-person family support
  - A resident who is grieving after a friend or family member recently died
  - A resident who needs cueing and encouragement with eating or drinking, previously provided by family and/or caregiver(s), and is experiencing weight loss or dehydration
  - A resident who used to talk and interact with others is experiencing progressive withdrawal, emotional distress, seldom speaking, behavioral decompensation, or crying more frequently
- Visits from social workers who are legally responsible for a resident's care to carry out their duties.
- Visits from CDSS, CDPH, CDDS or local regional center, local health department officials, mental/healthcare providers (e.g., home health and hospice agencies), and essential government authorities needing to enter or conduct investigations at the facility.
- Visits required for reimbursement of Medi-Cal, Medicaid, Drug Medi-Cal State Plan or specialty mental health services. See [Department of Health Care Services \(DHCS\) Mental Health Information Notices](#).
- Visits mandated by a court order or federal law such as visits by Adult Protective Services or the Long-Term Care Ombudsman.
- Any representative of a resident advocacy program.
- Individuals authorized by federal disability rights laws, such as Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (e.g., qualified interpreter or someone to facilitate communication).

All visitors seeking an indoor essential visit as defined above must be verified that they are fully vaccinated, or for unvaccinated or incompletely vaccinated essential visitors, have documentation of a negative COVID-19 test that occurred within 72 hours, except as specified in the *Exceptions to Vaccination, Testing, Verification and Recordkeeping* section below.

## **Exceptions to Vaccination, Testing, Verification and Recordkeeping**

*Becomes effective September 9, 2021 in accordance with the State Public Health Officer Order.*

The vaccination and testing requirements, and verification and recordkeeping conditions do not apply to:

- Visitors seeking only outdoor visits which do not require entrance to the facility.
- Visitors who are visiting a resident, whose death may be imminent. For these visitors the requirements related to masking, PPE, and physical distancing still apply (see [PIN 21-12-ASC](#)).
- Essential visitors as specified in the “*Limitation on Visitation for Residents Who are COVID-19 Positive; Essential Visits*” section above who are employees contracted by an entity that is responsible for tracking vaccination verification and COVID-19 test results.
- Visits from CDSS, CDPH, CDDS or local regional center, local health department officials, mental/healthcare providers (e.g., home health and hospice agencies), and essential government authorities needing to enter or conduct investigations at the facility.
- Visits mandated by a court order or federal law such as visits by Adult Protective Services or the Long-Term Care Ombudsman.

## **Exceptions for Continuing Care Retirement Communities (CCRC)**

Visitation restrictions, vaccine verification and testing requirements shall only be imposed on an independent CCRC resident when the resident is living with someone who is receiving assisted living services; or when the independent CCRC resident is commingling with residents who receive assisted living services or live in assisted living units by, for example, participating in communal dining or activities or using common facility amenities. See PIN 20-38-ASC for guidance as to when restrictions to independent living residents apply.

## **Additional Terms and Conditions for Visitation Waiver**

Licensees shall protect the confidentiality of a person’s medical diagnosis, treatment, and health care information; and continue to comply with any guidance or instructions from CDSS, health care providers, CDDS, CDC, CDPH, and local health departments.

Licensees shall continue to comply with standards that have not been waived in this PIN’s statewide waiver or pursuant to a different individual waiver or exception granted by CDSS. Licensees may continue to request individual waivers for standards not included in the statewide waiver in accordance with [PIN 20-04-CCLD](#). Please also see [PIN 20-06-ASC](#) for additional waiver information.

### **Requirements for Ongoing Compliance with Waiver; Rescission or Modification**

When implementing the visitation waiver, each facility must comply with the following terms and conditions:

1. A licensee's revised policies that are impacted by the waiver shall be developed in compliance with the most recent CDC, CDSS, CDDS, CDPH, and/or local health department COVID-19 guidance; be readily available for the public's review; and a copy shall be provided to the CDSS Regional Office.
2. A licensee must inform the person in care and their responsible party of any revised policy impacted by the waiver.
3. If the licensee is required by other government authorities such as a local public health order to restrict visitation beyond those restrictions allowed under this waiver, the licensee should notify its regional office of those requirements.
4. CDSS may rescind or modify this waiver based upon new federal, state or local directives or guidance, or if it determines a facility does not meet the terms and conditions of this statewide waiver, or an individual waiver, as applicable.

### **Effective Dates of Statewide Waiver**

The visitation waiver in this PIN shall expire upon the termination of the Proclamation of the State of Emergency, or as specified by CDSS, whichever comes first. Once the waiver expires or is rescinded by CDSS, all licensing requirements shall be reinstated.

### **BEST PRACTICES FOR VISITATION**

Licensees should adhere to the following best practices that reduce the risk of COVID-19 transmission during visitation. Visitors should be asked to reschedule their visit if they are unable to adhere to COVID-19 infection prevention and control measures.

- Limit the number of visitors on the facility premises at any one time to avoid having large groups congregate (based on the size of the building and physical space).
- To the extent possible, designate one area to enter the facility and a different area to exit the facility.
- Increase ventilation or circulation of fresh air as much as possible (e.g., open windows, use fans, etc.).
  - Do not open windows and doors if doing so poses a safety or health risk (e.g., risk of falling, triggering asthma symptoms) to residents, staff, and visitors using the facility.

- Limit visitor movement in the facility. For example, visitors should not walk around different halls of the facility. Rather, visitors should keep at least six (6) feet distance from staff and go directly to and from the designated visitation area.
- Encourage shorter indoor visits and longer outdoor visits.
- Add signage at entrances outlining proper mask wearing, visitation guidelines, hand hygiene, specified entries, exits, and routes, and current physical distancing practices in use at the entrance and throughout facility premise.
- Educate visitors on how to monitor themselves for COVID-19 symptoms.
- Designate handwashing stations for visitors or provide alcohol-based hand sanitizer for visitor use.
- Request visitors limit contact with others as much as practicably possible when outside the facility.
- Record name and contact information for individuals entering the facility for possible contact tracing at a later date.
- Visits for residents who share a room should preferably be conducted in a separate indoor space or with the roommate not present in the room (if possible).
- Clean and disinfect frequently touched surfaces in the facility often and visitation areas after each visit.

## **ADDITIONAL RESOURCES**

The following resources are available online:

- Centers for Disease Control and Prevention (CDC)
  - [Coronavirus Disease 2019](#)
- California Department of Social Services (CDSS)
  - [Community Care Licensing Division homepage](#) (includes all COVID-19 related materials (Provider Information Notices (PINs) and other resources)
- California Department of Public Health (CDPH)
  - [All COVID-19 Guidance](#)
  - [Find a Testing Location](#)
- [Local health departments](#)

If you have any questions, please contact your local

- [Adult and Senior Care Regional Office](#)

**Provider Information Notice (PIN) Summary for Residents  
PIN 21-40-ASC Updated Statewide Visitation Waiver,  
and Testing and Vaccination Verification Guidance for Visitors Related to  
Coronavirus Disease 2019 (COVID-19)**

The California Department of Social Services (CDSS) has prepared this **PIN Summary for Residents** as a companion to **PIN 21-40-ASC** to inform you of guidance we have provided to your care providers concerning your care.

According to the California Department of Public Health (CDPH) and the State Public Health Officer, as transmissible variants of the SARS-CoV-2 (COVID-19) virus circulate in California, cases are rising rapidly, and the vast majority of cases are occurring in unvaccinated individuals. Despite the availability of safe and highly effective COVID-19 vaccination, many individuals remain unvaccinated and are at high risk of acquiring COVID-19 and exposing residents and staff of adult and senior care (ASC) facilities to the virus. CDPH issued a State Public Health Officer Order:

- [State Public Health Officer Order of August 5, 2021 \(Amended August 26, 2021\).](#)

The State Public Health Officer Order requires ASC facilities to develop and implement processes for verifying the vaccination status of all visitors seeking indoor visitation, and for obtaining and tracking documentation of COVID-19 diagnostic tests of all visitors who are unvaccinated or incompletely vaccinated seeking indoor visitation.

In an ongoing effort to ensure resident safety, and to minimize the spread of COVID-19 among vulnerable individuals, this PIN provides specific updates to the visitation waiver for ASC residential facilities, consistent with the State Public Health Officer Order. Updates include new requirements for the licensee of your facility to verify the vaccination status of all visitors seeking indoor visits, and for visitors who are unvaccinated or incompletely vaccinated, to verify a negative COVID-19 diagnostic test.

The table below summarizes the guidelines and requirements for visitors.

<b>Type</b>	<b>Indoor and In-Room</b>	<b>Outdoor</b>
<b>Visitation</b>	Visitation is allowed at all times excepted as specified:  Restrictions when resident is in quarantine/isolation: <ul style="list-style-type: none"> <li>• Quarantine - allowed with proper PPE. See <i>Indoor and In-Room Visitation</i> section for additional guidance.</li> </ul>	Visitation is allowed at all times.



Type	Indoor and In-Room	Outdoor
	<ul style="list-style-type: none"> <li>Isolation - only essential visits allowed. See <i>Limitation on Visitation for Residents in Isolation; Essential Visits</i> section for additional guidance.</li> </ul>	
<b>Initial Screening</b>	Screened for fever and COVID-19 symptoms.	Screened for fever and COVID-19 symptoms.
<b>Face Mask Requirements</b>	Well-fitting face mask is required upon entry and at all times within the facility (double mask or surgical mask recommended), regardless of vaccination status.	Well-fitting face mask is encouraged while outdoors where they are around others, including the resident they are visiting, regardless of vaccination status.
<p><b>Vaccination Verification/Testing</b></p> <p>See <i>Exceptions to Vaccination, Testing, Verification and Recordkeeping</i> Section for additional guidance.</p>	<p><i>Fully Vaccinated Visitor</i> - must provide proof of vaccination.</p> <p><i>Unvaccinated/Incompletely Vaccinated Visitor</i> - must show documentation of a negative COVID-19 test that occurred within 72 hours before each indoor visit and for which the test results are available at the time of entry to the facility.</p> <p>See <i>History of COVID-19 Within the Prior 90 Days of Visit</i> section for additional guidance.</p>	The vaccination verification and testing requirements do not apply to visitors seeking only outdoor visits which do not require entrance to the facility.
<b>Physical Distancing</b>	Physically distance from all other individuals while in the facility, regardless of vaccination status.	Physically distance from all other individuals while in the facility, regardless of vaccination status.



Type	Indoor and In-Room	Outdoor
<p><b>Physical Touch</b></p>	<p><i>Fully Vaccinated Resident and Fully Vaccinated Visitor - may have close contact (including touch)</i></p>	<p><i>Fully Vaccinated Resident and Fully Vaccinated Visitor - may have close contact (including touch)</i></p>
	<p><i>Fully Vaccinated Resident and Unvaccinated/ Incompletely Vaccinated Visitor - resident can choose to have close contact (including touch)</i></p>	<p><i>Fully Vaccinated Resident and Unvaccinated/ Incompletely Vaccinated Visitor - resident can choose to have close contact (including touch)</i></p>
	<p><i>If either the visitor or resident is Unvaccinated or Incompletely Vaccinated the safest approach is to maintain at least six (6) feet of physical distancing.</i></p>	<p><i>If either the visitor or resident is Unvaccinated or Incompletely Vaccinated the safest approach is to maintain at least six (6) feet of physical distancing.</i></p>

Your care providers, the licensee of your facility, and your **local Long-Term Care Ombudsman** ([call 1-800-510-2020](tel:1-800-510-2020)) are available to answer your questions.