

Guidance for Reinstatement of Suspended Regulations effective December 6, 2021

Statute/Regulation	Statute/Regulation's Purpose	Suspension Lifted/Guidance
55 Pa. Code § 2600.51	Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act.	<p>Providers shall obtain FBI clearance/checks by December 6, 2021.</p> <p>Guidance: LR will cite the facility for failure to obtain FBI clearances/checks in accordance with OAPSA for new hires beginning December 6, 2021. Provisional hire periods may not be extended beyond what is permitted by OAPSA.</p> <p>LR will cite the facility for failure to obtain FBI clearances/checks by December 6, 2021 for employees whose provisional hire was extended for the sole reason that FBI clearances/checks were not available during the regulatory suspension (March 6, 2020 through December 6, 2021).</p>
55 Pa. Code § 2600.132(a)	An unannounced fire drill shall be held at least once a month.	<p>All providers should begin conducting unannounced fire drills in the month of December 2021.</p> <p>Guidance: LR will cite the facility for failure to conduct a monthly fire drill in December 2021 and thereafter.</p> <p>LR will not cite the facility if they conducted fire drills during the regulatory suspension (March 6, 2020 through December 6, 2021) and were not in compliance with the regulations related to fire drills including failure to evacuate all residents within the safe evacuation time specified by the fire safety If a facility was unable to complete a full fire drill due to an outbreak, the fire drill record should be documented to include contact with the Regional Director, why the drill was not completed or modified, and what was done. These instructions should be noted in the record.</p>

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55 Pa. Code § 2600.132(b)	A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept.	The annual fire safety inspection and fire drill conducted by a fire expert must be completed by December 31, 2021. Guidance: LR will cite the facility for failure to have an annual fire safety inspection and fire drill conducted by a fire expert by December 31, 2021.
55 Pa. Code § 2600.141 (b) (1)	A resident shall have a medical evaluation at least annually.	All residents shall have a medical evaluation within the past 12 months by December 6, 2021. Guidance: LR will cite facility for failure to have an annual medical evaluation completed for each resident by December 6, 2021. Virtual annual medical examinations completed during the regulatory suspension (March 6, 2020 through December 6, 2021), are acceptable if approved by the attending physician.
55 Pa. Code § 2800.51 (a)	Criminal history checks and hiring policies shall be in accordance with the Older	Providers shall obtain FBI clearance/checks by December 6, 2021. Guidance: LR will cite the facility for failure to obtain FBI clearances/checks in accordance with OAPSA for new hires beginning December 6, 2021. Provisional hire periods may not be extended beyond what is permitted by OAPSA. LR will cite the facility for failure to obtain FBI clearances/checks by December 6, 2021 for employees whose provisional hire was extended for the sole reason that FBI clearances/checks were not available during the regulatory suspension (March 6, 2020 through December 6, 2021).
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		<p>LR will not cite the facility if they conducted fire drills during the regulatory suspension (March 6, 2020 through December 6, 2021) and were not in compliance with the regulations related to fire drills including failure to evacuate all residents within the safe evacuation time specified by the fire safety. If a facility was unable to complete a full fire drill due to an outbreak, the fire drill record should be documented to include contact with the Regional Director, why the drill was not completed or modified, and what was done. These instructions should be noted in the record.</p>
55 Pa. Code § 2800.132(b)	A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept.	<p>The annual fire safety inspection and fire drill conducted by a fire expert must be completed by December 31, 2021.</p> <p>Guidance: LR will cite the facility for failure to have an annual fire safety inspection and fire drill conducted by a fire expert by December 31, 2021.</p>
55 Pa. Code §2800.141(a)(11)	Requires residents to have a medical evaluation, including a Tuberculin skin test.	<p>All residents shall have a Tuberculin skin test. Providers should follow physician recommendations regarding timing of administering the test considering vaccination status.</p> <p>Guidance: LR will cite the facility for failure complete TB test within 2 years; or if the tuberculin skin test is positive, the result of a chest X-ray. In the event a tuberculin skin test has not been administered, the test shall be administered within 15 days after admission. LR will not cite this violation if the facility demonstrates that the following provisions are met relating to postponing the test due to COVID 19</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and

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		<ul style="list-style-type: none"> Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule.
55 Pa. Code § 2800.141(b)(1)	A resident shall have a medical evaluation at least annually.	<p>All residents shall have a medical evaluation within the past 12 months by December 6, Guidance:</p> <p>LR will cite facility for failure to have an annual medical evaluation completed for each resident by December 6, 2021.</p> <p>Virtual annual medical examinations completed during the regulatory suspension (March 6, 2020 through December 6, 2021) are acceptable if approved by the physician.</p>