



Last updated February 1, 2022. The situation is changing rapidly.

COVID-19 EDITION

Please check our website for the latest updates.

STIMULUS PAYMENTS

NASSAU AND SUFFOLK COUNTIES

I live in an Adult Care facility and I am on SSI/SSP. Will I receive a Stimulus Check?

Probably. The Federal Government is issuing a third round of stimulus payments. To find out if you qualify, visit our Economic Relief page or the [IRS FAQ page Get My Payment | Internal Revenue Service \(irs.gov\)](#).



What should I do if I did not receive the first or second round of stimulus payments or I got less than I expected?

If you did not receive the first or second round of stimulus payments, you will need to file a 2020 tax return to claim the money. If you received the first two rounds of stimulus payments, then you should receive the third round automatically.

If you received stimulus payments, but did not get the full amount you think you were entitled to, or were missing money for your spouse or dependents, then you should file a 2020 income tax return, even if you are not normally required to do so. Learn more about filing a tax return from the IRS website ([Recovery Rebate Credit — Topic A: Claiming the Recovery Rebate Credit if you aren't required to file a tax return | Internal Revenue Service \(irs.gov\)](#)).



How will I receive my Stimulus Check?

If you receive SSI/SSP benefits or receive Social Security Disability or Social Security, you should receive the stimulus check in the same way you receive your usual monthly benefit checks. It is also possible to receive the stimulus payment in the form of a prepaid debit card. If your payment is in the form of a debit card, there is a transaction fee every time you use the card after the first time. If you threw away your debit card by mistake, you can call for a replacement at [1-800-240-8100](#). Social Security and SSI/SSD recipients who receive their benefits electronically should have received their stimulus payments by now.

What if I have a Representative Payee?



If you have a representative payee, the check should go to that individual or organization, and thereafter be made available to you.

If your Facility is your Representative Payee, the money should be deposited in an interest-bearing account separate from the facilities' operating accounts. It can be a pooled account if there is a separate accounting for everyone's funds.

If you wish to withdraw the entire stimulus payment (which is not recommended) the Facility is required to provide the money within three banking days.

Does a Stimulus Check Count as Income?



Stimulus checks **Do Not** count as income in the month received or at any other time.

Does the Stimulus Check count as a Resource?



The Stimulus check does not count as a Resource for **Twelve months** from the date it is issued for most purposes. However, after twelve months it will be counted as a resource. If you still have money left over from the first stimulus payment, be sure to use it within twelve months of when you first received it.

What Can I Use the Stimulus money for?



every effort to keep referral information, legal educational materials, and related forms up-to-date. However, the situation is rapidly and we do not maintain materials on external sites. We cannot guarantee the accuracy of this information, nor are we responsible for any legal advice, information or assistance that you may obtain from external sources. They are provided for general information only.

Unlike other forms of government benefits, which may have certain limitations, this money can be used for any purpose.

Can the Home or anyone else take this money from me for collection of a debt?



Although you may **choose** to use this money to settle a debt, it cannot be taken from you for that purpose, nor can it be garnished for the collection of a debt, except for child support arrears.

VISITATION TO SKILLED NURSING AND ADULT CARE FACILITIES

Can I visit my loved one at their Facility? (Can I have visitors at my Facility?)



Yes. The Department of Health issued new guidelines January 12, 2022 for skilled nursing facilities, and July 8, 2021 for adult care facilities, updating visiting protocols. There are still strict guidelines in effect, but they are less restrictive than previous policies. The guidelines differ slightly in some respect depending on whether the Facility is a nursing home or an adult care facility.

The skilled nursing facility guidelines are available here

https://coronavirus.health.ny.gov/system/files/documents/2022/01/health-advisory-nursing-home-visitation_1-12-22.pdf

The adult care facility guidelines are available here

https://coronavirus.health.ny.gov/system/files/documents/2021/07/acf_visitation_guidance_07.08.2021.pdf

What if there is COVID within the Facility?

Visits MAY occur in skilled nursing homes and adult care facilities, even if there is a new COVID outbreak, with the following procedures in place:

In Adult Care Facilities:

Residents in isolation or observation, and residents with suspected or confirmed COVID-19 infection should not have visitors outside of compassionate care or end of life situations. This rule applies regardless of vaccination status. The rest of the Facility may remain open to visitors.

In Skilled Nursing Facilities:

Residents in isolation or observation, and residents with suspected or confirmed COVID-19 infection should not have outside visitors outside of compassionate care or end of life situations. This rule applies regardless of vaccination status.

If a new COVID-19 case is identified, visits may be suspended until testing is conducted. If there are no other infections, visits may resume. If there are additional infections, visits may resume in Units or areas of the facility that did NOT have a new outbreak.

Do I need a negative COVID test or vaccinations before I visit?

In skilled nursing homes, visitors are required to verify that they have received a negative COVID test result one day prior for a rapid test or two days prior for a PCR test. If the visitor does not have valid proof of a negative test, the nursing facility should provide visitors with a rapid COVID test, and the visitor should test themselves at the facility.

There are no requirements for rapid or PCR testing before visiting an adult care facility.

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Proof of vaccination is not a requirement in skilled or adult facilities.

Can I visit inside the Skilled Nursing Facility or Adult Care Facility?

Yes. The DOH is permitting indoor visits, although outdoor visits are still recommended where practical. If an individual visits inside the Facility, the visit may be in the resident’s room. If the Resident has been vaccinated, they may hug or touch visitors, as long as proper Personal Protective Equipment is in place.

The only restrictions to indoor visits is as follows:

- No visits to unvaccinated residents if the county COVID-19 positivity rate is above 10% AND less than 70% of Residents in the facility are fully vaccinated.
- No visits to Residents with confirmed COVID-19 infections until they have met the criteria to discontinue transmission-based precautions, OR
- No visits to Residents in quarantine, until they have met criteria for release from quarantine.

Is there a fixed cap on the number of visitors permitted in a facility?

No. However, facilities should take into account the size of the space, and the ability to maintain the appropriate social distancing guidelines when allowing visitors.

What qualifies as a “compassionate care visit”?

Compassionate care visits include but are not limited to:

- Newly admitted residents having difficulty adjusting.
- Residents recently grieving the loss of a friend or loved one.
- Residents who previously received in-person support from a family member.
- Residents experiencing dehydration and/or weight loss.
- Residents exhibiting signs of emotional distress, including seldom speaking, crying, refusing to participate in activities, staying in bed longer than usual, or other behavioral abnormalities for the individual.
- Residents who receive religious or spiritual support from clergy or other laypersons.

This is not an exhaustive list. All visitors are required to follow the applicable COVID infection guidelines, including presenting proper identification when entering the Facility, answering current health questions, wearing proper PPE, and maintaining social distance where necessary. Compassionate care visits are **allowed at all times**, even if there is a COVID-19 outbreak in the facility and regardless of the County’s COVID-19 positivity rate.

ACF COMMUNICATIONS WITH RESIDENTS AND FAMILY



Is the Administration required to inform me if there is COVID in my Facility?

Yes. Both the Department of Health (DOH) and the Centers for Medicare and Medicaid Services (CMS) have issued guidelines for how a Facility should be communicating with the Residents and their families.

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When are they required to notify me?



The most recent Department of Health directives require the ACF to notify all residents, and family members or next of kin if any resident in the Facility tests positive for COVID, or any Resident suffers from a COVID related death, within 24 hours of the occurrence or by 5 pm the next calendar day, whichever is sooner.

Should the Facility provide regular updates?



The DOH has strongly encouraged Facilities to consider implementing a weekly update to all Residents regarding facility procedures and protocols for COVID control and information. For more information, contact covidadultcareinfo@health.ny.gov, or for nursing homes, contact covidnursinghomeinfo@health.ny.gov.

COVID INFECTION CONTROL WITHIN ACFs



Will I have to pay out-of-pocket to be tested for COVID?

No one in New York should have out-of-pocket costs for COVID testing.



Is there a screening process for non-residents entering my Facility?

Yes. Long Term Care facilities should implement screening for all. Screening includes checking temperatures regularly and looking for other COVID-like symptoms.

- EVERY person entering a facility, regardless of their reason, should be screened for COVID and their temperature taken.
- Access points should be limited to ensure proper screening.
- Every resident entering a facility should be screened for COVID.



Are facility personnel required to be vaccinated? Yes. Unless there is a medical reason for an exemption, all facility personnel must be vaccinated, and obtain a booster when needed. Yes. Unless there is a medical reason for an exemption, all facility personnel must be vaccinated, and obtain a booster when needed.



Are Facility personnel required to be tested for COVID?

Unvaccinated staff members must be routinely tested for COVID. Any staff member presenting symptoms, whether vaccinated or not, must be tested for COVID. Any staff member, regardless of vaccination status, who has been exposed to someone with COVID, should be tested.



What happens if a staff member tests positive for COVID?

If a staff member tests positive for COVID, that finding must be reported to the DOH by 5 pm the following day. If a staff member tests positive, they must stay home for the period of time suggested by the DOH and CDC.

Can a staff member refuse to be tested and continue working at the Facility?



No. Staff who refuse to be tested will be considered to have an outdated or incomplete health assessment and will be prohibited from working until the testing is performed.



Do I need to wear a facemask?

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Yes. All Residents should use at least non-medical grade facemasks or coverings. If COVID positive or presumed COVID positive, they should wear a medical-grade facemask.

ADMISSION OR RE-ADMISSION TO ACF AFTER HOSPITALIZATION FOR COVID-19



If I am hospitalized for COVID-19, can I be discharged back to my ACF?

Yes. A DOH Directive was released to all ACFs and Nursing Homes on May 11, 2020, which outlines the process of re-admission. A Hospital may only discharge a patient who has received at least one negative test result for COVID-19, so long as the facility administrator has certified that they can provide that patient with adequate care.



Can I be released from the hospital back to my ACF if I am still testing positive for COVID?

No. Hospitals may not discharge a patient who is still testing positive for COVID-19. ACFs are not permitted to accept patients from a Hospital who have COVID-19 until they receive at least one negative test result.

If I was hospitalized for COVID-19, but I have had a negative test result, can my ACF refuse to take me back?



As long as they can provide the necessary care, they must take you back. No ACF or nursing home can deny admission to a resident based solely on the resident's previous COVID-19 diagnosis.



What happens if the hospital is ready to discharge me and my Facility cannot provide an adequate level of care?

If you are stable and ready for discharge, but your ACF is unable to provide adequate care, the hospital may either retain you or, if Hospital beds are needed for more serious cases, the hospital must arrange an appropriate discharge and transportation to a facility that can provide an adequate level of care.



If you have further questions, there are Advocates who can assist you: