


Date: August 19, 2021

To: All DD Waiver, Mi Via Waiver, Medically Fragile Waiver, Supports Waiver, State General Fund Agencies and Stakeholders

From: Jason Cornwell, Director 
Developmental Disabilities Supports Division

Subject: Directives regarding Indoor Mask Mandate, Vaccine Mandate, Remote Visits, and COVID-19 Screenings for all Visitors

Indoor Mask Mandate: Pursuant to the Public Health Order (please see attached) issued on August 17, 2021, by Acting Department of Health Secretary, Dr. David Scrase, *“Beginning Friday August 20, 2021, unless a healthcare provider instructs otherwise, all individuals age 2 years and older shall wear a mask or multilayer cloth face covering in all indoor public settings except when eating or drinking. Nothing in this Order shall be construed as prohibiting any business, house of worship, non-profit entity, or other entity from imposing more stringent requirements.”*

For the purposes of programs administered by DDSD, individuals receiving services are not required to wear masks in their own homes. However, individuals receiving services are bound by the Public Health Order to wear a mask or multilayer cloth face covering in all public indoor settings except when eating or drinking. For those individuals who may not tolerate wearing a mask, please see the attached guidance previously issued by DDSD or available at <https://www.nmhealth.org/publication/view/guide/6199>

DDSD’s masking mandate for paid employees and/or sub-contractors remains unchanged by the Public Health Order. Masks are required to be worn at all times during delivery of all services, including when providing transportation by all Direct Support Professionals, Therapists, Behavior Support Consultants, Nurses, Case Managers, Consultants, Community Support Coordinators, Home Health Care, or any other discipline providing services, regardless of vaccination status. The mask mandate applies to all agency staff who may provide direct services such as an agency Director, Administrative Assistant, Supervisor, Manager, etc. The only exception to this requirement is for employees or sub-contractors paid to provide services to immediate family members (i.e., Family Living Providers) who may choose to wear a face mask in their own home at their discretion.

Vaccine Mandate: Pursuant to the Public Health Order (please see attached) issued on August 17, 2021, by Acting Department of Health Secretary, Dr. David Scrase, Beginning Monday, August 23, 2021 *“All hospital workers, congregate care facility workers, and employees of the Office of the Governor Michelle Lujan Grisham are required to be fully vaccinated against COVID-19 unless they qualify for an exemption.”*

For the purposes of programs administered by DDSD, beginning, Monday August 23, 2021; any agency employee and/or sub-contractor, who provides service in a Congregate Care Facility or Community Home must be fully vaccinated unless an exemption is granted by their employer or operator of the

facility in which they work. If an employer or operator of the facility determines an employee and/or sub-contractor meets the requirements of an exemption, the unvaccinated exempt worker must provide adequate proof that the worker has tested negative for COVID-19 on a weekly basis in accordance with the Public Health Order. Please see pages 4-5, section 4, a-c of the attached Public Health Order for details on the exemption requirements.

- Fully vaccinated means *“two weeks after an individual completed the entire recommended series of vaccination with a vaccine approved by the Food and Drug Administration (FDA), including on an emergency use basis, to prevent COVID-19. An individual will be fully vaccinated two weeks after the second dose of Pfizer-BioNTech or Moderna COVID-19 vaccines. An individual will be fully vaccinated two weeks after a single-dose Johnson and Johnson’s Janssen COVID-19 vaccine.”*
 - Unvaccinated employees and/or sub-contractors delivering services in Congregate Care Facilities and Community Homes must receive the first dose of a COVID-19 vaccine within 10 days of the effective date of the Public Health Order and their second dose within 40 days of their first dose of a COVID-19 vaccine.
- Congregate Care Facility means any facility based Day or Employment service offered within any of the DD Waiver, Mi Via Waiver, Medically Fragile Waiver, Supports Waiver, or State General Funded programs.
- Community Homes is defined as DD Waiver Supported Living, Intensive Medical Living Services, and State General Funded residential homes.
- DD Waiver Family Living, DD Waiver Customized In-Home Supports, and Mi Via Waiver In-Home Living Supports does not meet the definition of “Community Home.”
- The vaccine mandate also applies to any paid discipline providing services within the Congregate Care Facility or Community Home. This means any Direct Support Professional, Therapist, Behavior Support Consultant, Nurse, agency Director, Administrative Assistant, Supervisor, Manager, etc. who provide services within one of these settings, must comply with the vaccine mandate.

Face to Face In Person Visits by DD Waiver Case Managers, Mi Via Waiver Consultants, Medically Fragile Waiver Case Managers, Supports Waiver Community Support Coordinators, Agency Service Coordinators and Supervisors: Due to the increase in cases related to the Delta variant and to further mitigate the spread of COVID-19. Effective August 20, 2021, DDS is requiring that all face to face in person visits by DD Waiver Case Managers, Mi Via Waiver Consultants, Medically Fragile Waiver Case Managers, Supports Waiver Community Support Coordinators, Agency Service Coordinators and Supervisors, including State General Funded programs; **cease and revert to remote monitoring visits.** Remote visits must begin effective August 20, 2021, through September 30, 2021. DDS will issue further direction in September regarding the decision to continue with remote visits or to return to in person face to face monitoring visits.

Therapists (OT, PT, SLP) can continue to conduct clinical sessions/visits/assessments in the home, community, or remotely at the discretion and approval of the individual and/or their guardian. The preference or convenience of the individual therapist or agency will not be the determining factor as to how the service is delivered.

Nurses and Registered Dietitians/Licensed Nutritionists can continue to complete clinical visits/assessments in the home, community, or remotely at the discretion and approval of the individual and/or their guardian. Nurse Case Managers can continue in home assessments at the discretion and approval of the individual and/or guardian. The preference or convenience of the individual nurse, dietician/nutritionist or agency will not be the determining factor as to how the service is delivered.

Behavior Support Consultants can continue to conduct clinical sessions/visits/assessments in the home, community, or remotely at the discretion and approval of the individual and/or their guardian. The preference or convenience of the individual behavior support consultant or agency will not be the determining factor as to how the service is delivered.

DDSD Jackson 11a (Nurses) and 11b (Bureau of Behavioral Support) will continue to complete in person face to face visits with Jackson Class Members and provider agencies.

Congregate Facility Reopening Plans amendments to congregate facility reopening plans may be submitted to Regional Office Directors. Day services can continue to be provided, in home, remotely and in the community.

Lastly, in addition to the indoor mask mandate, vaccine mandate, and resumption of remote monitoring visits, to further mitigate the spread of COVID-19 and the Delta variant, DDSD is directing all agencies to resume COVID-19 symptom screenings at all service locations for all visitors.

- Prior to any visitor entering the home, the provider agency/vendor/ participant/ Employer of Record (EOR) must perform screening including symptom and temperature check. Screening requirements of all visitors must include the following:
 - Ask the visitor if they have a fever (above 100.4) by taking their temperature using a temporal thermometer.
 - Ask the visitor “Have you felt like you had a fever in the past day?”
 - Ask the visitor “Do you have a new or worsening cough today?”
 - Ask the visitor “Do you have any of these other symptoms?”
 - Shortness of breath or difficulty breathing
 - Fatigue
 - Muscle or body aches
 - Headache
 - New loss of taste or smell
 - Sore throat
 - Congestion or runny nose
 - Nausea or vomiting
 - Diarrhea
 - If the answer is “Yes” to any of these questions, the visit cannot proceed.
 - If the answer is “No” to each of these questions, the visit may proceed.

- For any paid employee and/or sub-contractor to include any Direct Support Professional, Therapist, Behavior Support Consultant, Nurse, agency Director, Administrative Assistant, Supervisor, Manager, etc. who render services within a Congregate Facility or Community home, ask the following question to confirm vaccine status.

- Have you been vaccinated? If the answer is Yes for the paid professional, the visit may proceed. If the answer is No for the paid professional, the visit cannot proceed.

If you have questions, please contact the following DDS Staff:

- DD Waiver Program Manager, Marie Velasco (marie.velasco@state.nm.us)
- Mi Via Waiver Program Manager, Aaron Maestas (aaron.maestas@state.nm.us)
- Medically Fragile Waiver Program Manager, Iris Clevenger (iris.clevenger@state.nm.us)
- Supports Waiver Program Manager, Jennifer Roth (jennifer.roth@state.nm.us)
- State General Fund Program Manager, Juanita Salas (juanita.salas@state.nm.us)
- Regional Office Director
 - Metro: Michael Driskell (michael.driskell@state.nm.us)
 - NWRO: Michele Groblebe (michele.groblebe@state.nm.us)
 - NERO: Angela Pacheco (angela.pacheco@state.nm.us)
 - SERO: Michelle Lyon (michelle.lyon@state.nm.us)
 - SWRO: Angie Brooks (angie.brooks@state.nm.us)
- DDS Deputy Director, Scott Doan (scott.doan@state.nm.us)

Additional Resources:

- NM DOH COVID-19 Site: <https://cv.nmhealth.org/>
- DDS COVID-19 Site: <https://nmhealth.org/about/ddsd/diro/ddcv/>
- NM DOH COVID-19 Safe Practices: <https://cv.nmhealth.org/covid-safe-practices/>
- Report a Public Health Order Violation: <https://www.newmexico.gov/2020/03/25/how-to-report-non-compliance-within-a-business-a-violation-of-the-mass-gatherings-ban-or-other-violations-of-the-public-order/>
- NM DOH COVID-19 Vaccine General Information: <https://cv.nmhealth.org/covid-vaccine/>
- NM DOH COVID-19 Vaccine Site: <https://cvvaccine.nmhealth.org/>
- New Mexico Notify [NM Notify](#) | [Help New Mexico Stop The Spread](#)
- Vault COVID-19 Testing Resource learn.vaulthealth.com/nm/.
- New Mexico Crisis and Access Line | www.nmcrisisline.com
 Crisis and Access Line | 1-855-NMCRISIS | 1-855-662-7474
 Peer-to-Peer Warmline | 1-855-4NM-7100 | 1-855-466-7100
 Healthcare Worker and First Responder Support Line | 1-855-507-5509



Do you want to pre-register for your COVID-19 Vaccine?

Visit cvvaccine.nmhealth.org to register today.

