

On behalf of Keith Hare:

VIA Email

Jay Withrow, Director
Division of Legal Support, ORA, OPPPI, and OWP
Virginia Department of Labor and Industry
600 East Main Street, Suite 207
Richmond, VA 23219

Re: Comments on Final Permanent Standard (FPS)

Dear Mr. Withrow:

I am writing as President and CEO of the Virginia Health Care Association and Virginia Center for Assisted Living (VHCA-VCAL) to respectfully comment on the Final Permanent Standard (FPS) and to request revocation. VHCA-CAL represents over 95% of the nursing homes in the Commonwealth and nearly 100 assisted living facilities.

Since the beginning of the pandemic, nursing homes and assisted living facilities have been “ground zero” on the front lines of the pandemic. Our members and their staffs have answered the call and performed under the most extreme circumstances anyone could imagine. Now, thanks to the vaccines and the dedication of many Virginians to reduce and prevent community spread of COVID-19, the threat of the virus is at a reported all-time low.

Even though cases and community spread are down significantly right now, the health care community remains vigilant and vulnerable. Recognizing this, CDC revised guidelines and the OSHA ETS, soon to be in effect, mandate continued distancing, capacity, and PPE guidelines for health care settings. It is the CDC and OSHA guidance that should govern our responses.

The FPS is out of step with the changing dynamic of the virus and the revised CDC recommendations that have been issued. In his letter to Safety and Health Codes Board Chairwoman Milagro Rodriguez on June 14th, Governor Northam states similarly that the FPS “unfortunately does not evolve with the improving conditions across the Commonwealth.”

Accordingly, VHCA-VCAL respectfully requests the FPS be revoked. Thank you for your consideration and should you have any questions or if VHCA-VCAL may be of further assistance, please do not hesitate to contact me.

Sincerely,

Keith Hare
President and CEO

cc: W. Scott Johnson, Esquire
Benjamin H. Traynham, Esquire

Steve Ford

Senior Vice President for Policy & Reimbursement
Virginia Health Care Association
Virginia Center for Assisted Living
2112 West Laburnum Avenue, Suite 206
Richmond, VA 23227

W: 804.212.1695 | F: 804.353.3098
steve.ford@vhca.org



Get vaccinated when it's your turn.
#GetVaccinated



Virginia Health Care Association | Virginia Center for Assisted Living