



Senior Housing Weekly

July 30, 2021

Monday, August 2, Housing Advisory Group Call. Join us for our regular LeadingAge Housing Advisory Group calls on Mondays at 12:30pm ET. On August 2, we'll discuss more about what the Delta variant means for housing communities, as well as Service Coordinator issues and an overview of the results of our latest quarterly affordable housing survey. Any member can join the Housing Advisory Group by adding it to their account's Online Subscriptions or by emailing [Linda](#) or [Juliana](#).

Coronavirus Update Calls For Next Week. What does the change in CDC guidance say – and why was it changed? What does it mean for LeadingAge members? On Monday, August 2 at 3:30 PM ET, hear returning guest **Dr. Nimalie Stone** of CDC, as she discusses how CDC is thinking about the Delta variant, the new masking guidance, the differences between the three approved vaccines in terms of breakthrough infections, CDC views on mandates, and other critical issues. As always, Nimalie will talk about how these issues apply specifically to aging services and long-term care providers. **Dr. Monica Gandhi will be back on Wednesday, August 4 at 3:30 PM ET.** Every time Monica has joined us, even in the darkest days of COVID, she's spoken directly and, as many callers said last time she appeared – "she made me feel so much better." Her informed views of what's coming next have mostly turned out spot on. Join us Wednesday to talk Delta variant, testing, PPE, and all the burning COVID questions on everyone's mind right now. If you haven't registered for the calls, [you can do so here](#).

Annual Meeting Sessions: Highlights for Affordable Senior Housing Providers. Join Linda, Juliana, and the rest of the LeadingAge team at our Annual Meeting in Atlanta starting on October 24th! Sessions include bold visions for the future of Service Coordination, new approaches to senior housing preservation, and a primer on equity, diversity and inclusion in the aging services field. To top it off, we'll host networking receptions, movie screenings, a 5k run, and an "affordable housing huddle" – view the highlights for affordable housing providers [here](#) and get registered for the meeting [here](#).

Resources as Eviction Moratorium Sunset Nears. The Federal Housing Finance Agency announced on July 28 that tenants of multifamily properties with mortgages backed by Fannie Mae or Freddie Mac who are subject to eviction for nonpayment of rent must be given 30 days' notice to vacate before the tenant can be required to leave the unit. This requirement applies to all Fannie- and Freddie-backed multifamily properties, regardless of whether the loan is in forbearance. With the national eviction moratorium for nonpayment of rent set to expire, after four extensions, on July 31, the White House and federal agencies are doing an all-out push to connect landlords with resources from the \$46 billion Emergency Rental Assistance program and to protect renters from eviction. The Consumer Financial Protection Bureau has set up [a new database](#) of all the state and local Emergency Rental Assistance programs nationwide. An article is [here](#).

Bi-Partisan Package: \$65 Billion for Broadband. The \$550 billion bi-partisan infrastructure agreement includes \$65 billion to "bridge America's digital divide and build a 21st century infrastructure that will meet our country's needs not only today, but for years to come." The package includes funds to extend, alter, and rename the current Emergency Broadband Benefit program, which began accepting

applications in May and provides \$50 / month subsidy for internet to qualifying households. Under the bi-partisan package, the program is renamed the Low-Income Broadband Benefit and the subsidy is lowered to \$30 / month. The new program would last for five years. More in this [article](#).

Emergency Broadband Program Hits 4 Million Household Milestone. Meanwhile, other broadband news. Today, the Federal Communications Commission (FCC) [announced](#) that over four million households have enrolled in the Emergency Broadband Benefit Program, a new federal discount program for internet services. The \$3.2 billion subsidy program provides a temporary discount up to \$50 per month for income-qualifying households' internet bills during the duration of the pandemic. The FCC and its partners have also tracked participating internet service providers by state and the continuing availability of funds for the subsidy program, both available [here](#). To learn more about enrolling affordable housing residents in the internet support program, view the FCC's multilingual outreach materials [here](#).

Housing Survey: Fewer Cases, More Vaccinations. The latest quarterly survey of LeadingAge affordable senior housing provider members sheds light on COVID cases, top management challenges, and other issues. The non-scientific survey helps LeadingAge with our advocacy and, we hope, helps providers learn more about their peers. Read more [here](#).

Year 15 Low Income Housing Tax Credit Sessions. A law firm steeped in “Year 15” issues, Goldstein Hall, along with the National Housing Law Project, Southeast Louisiana Legal Services, and Regional Housing Legal Services, will host a free series of online events on Year 15 issues for low income housing tax credit communities. The offerings include, Year 15 Transactional Issues and Strategies 101 on [August 3](#), Year 15 Litigation: Discussion of Current Cases on [August 10](#), Year 15 Advocacy: State, Federal and Local Efforts on [September 14](#), and on Year 15 Negotiation Workshop on [October 7](#). Click the links above to register for the 1 pm ET – 2 pm ET events on their respective days.

Biden federal employee vaccine announcement. This afternoon President Biden directed all federal workers and **onsite** contractors to be vaccinated or otherwise submit to regular COVID testing. Onsite contractors are contractors who work in federal buildings and workplaces. Nongovernmental organizations that receive federal funds are **NOT** included in this directive.

Senate votes to move forward on infrastructure. Congressional update. The Senate negotiators and the White House reached an agreement on a bipartisan infrastructure bill. A White House Fact sheet on the deal can be found [here](#). This week, the Senate took a procedural vote and passed a motion 67-32 agreeing to proceed with debate on the bipartisan infrastructure deal that was announced earlier today. We encourage you to [take action here](#) to ensure our priorities are heard as these dynamics play out.

Trust for America’s Health Survey on Vaccination of Homebound Adults. Trust for America's Health (TFAH) is working to learn and disseminate information about the programs and strategies that state and local public health departments, as well as aging services and home care providers, have adopted and implemented to provide COVID-19 vaccinations to older adults who are homebound. If you are providing at home vaccinations, please take the survey for aging services and home care providers at <https://tfah.wufoo.com/forms/m1js84okom3ufxz/>

Study on impact of loneliness on life expectancy. A [recent study](#) in the Journal of the American Geriatrics Society quantified the impact of loneliness on total life expectancy (TLE) and health expectancy (the duration of remaining life lived in different health states) among older adults, aged ≥60 years.

Ziegler Q2 LPC Occupancy Review Shows Promising Trends. Based on targeted data tracking by the National Investment Center, the Ziegler Q2 LPC Occupancy review showed that LPC occupancy overall improved since Q1, and that entry fee LPCs bounced back more strongly than rental, and not for profit more strongly than for profit LPCs. Independent Living and Assisted Living segments set within an LPC improved occupancy (year over year) more so than stand-alone providers of those care segments; stand-alone nursing and memory support programs fared better than those set within an LPC year over year. Regionally, the Mid-Atlantic followed by the Northeast and Pacific regions had the strongest occupancy numbers, while the Southwest was the lowest performing region for occupancy this quarter. Read the full report [here](#).

FEMA COVID-19 Funeral Assistance Tops \$800 Million: FEMA [announced today](#) that FEMA has provided over \$804 million to nearly 122,000 people to assist with COVID-19-related funeral costs for deaths occurring on or after Jan. 20, 2020. Over 3,000 dedicated personnel continue to work with applicants to manually review every application and determine eligibility each week. Eligibility determinations are not driven by state/location; instead, they are based on when the applicant submits all required documentation. Additional information about [COVID-19 funeral assistance](#), including [frequently asked questions](#), is available on FEMA.gov.

LeadingAge statement supporting COVID-19 Vaccine mandates. Today, LeadingAge issued a [statement](#) strongly urging all residents and staff in long-term care to get vaccinated. LeadingAge specifically supports requiring vaccines for current and new staff in LTC and other health care settings. Here's a [press release](#) with Katie Sloan's statement. In addition, LeadingAge is part of a group of more than 50 health and aging services organizations that today issued a [joint statement](#) in support of vaccine mandates for all health and LTC workers. There was significant coverage in the media including this piece in the [Washington Post](#).

Fact Sheet for 31st Anniversary of the American with Disabilities Act. Today is the 31st Anniversary of the Americans with Disabilities Act. The Administration put out a fact sheet with a number of policies, both old and new, that support the Administration's vision regarding the future of the ADA and the disability community. The fact sheet can be found at: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/26/fact-sheet-biden-harris-administration-marks-anniversary-of-americans-with-disabilities-act-and-announces-resources-to-support-individuals-with-long-covid/>

Of note is the continued commitment to enhanced support for Medicaid HCBS and the announcement of partnerships between HHS and HUD to enhance [housing-health partnerships](#).

Update on Vaccine Mandates as a Condition of Employment for Providers. Here is a quick overview of the latest news on COVID-19 vaccine mandates in the employment setting, as reported on the Coronavirus Update Call today by Cory. The best resource on addressing vaccine mandates is the [EEOC Guidance](#) on what you need to know about COVID-19 Vaccines, the ADA, and other considerations relative to federal employment and discrimination laws.

- The federal government probably does not have the authority to institute a national vaccine mandate for all citizens and there is no indication this administration or Congress would attempt to do so. The federal government and their respective agencies do, however, have the authority over the federal workforce. The Veteran’s Affairs (VA) department announced today that it plans to mandate the vaccine for its healthcare workforce.
- A state's power to mandate vaccines to protect public health is well-established and states (and localities like New York City) are currently addressing mandates or prohibiting mandates in a variety of settings including healthcare, schools, and private businesses. These stories are all over the news and discussions at the state legislatures identify a range of options under consideration.
- That leaves the third arena - private employers. Providers, as private employers, have no prohibition on vaccine mandates under federal law so they really need to stay attuned to what is happening on the state level as mentioned above.
- Two recent court decisions have addressed whether a hospital or public university can mandate a COVID-19 vaccine for employees and students. Both of these cases upheld the vaccine mandate, even while the current vaccines are only under Emergency Use Authorization. Based on these decisions we will likely see more public and private employers implement mandates before we see full FDA approval of the Pfizer and Moderna vaccines.
- Finally, if providers implement a policy requiring a COVID-19 vaccine (or other vaccine) as a condition of employment, federal and state law allows employees to request an exemption based on a disability/medical condition or religious objections. Providers should carefully review the EEOC guidance as well as any corollary state law guidance on how to implement such a program within their organization. There is a process in how to address any exemptions to a vaccine mandate and those with flu vaccine mandates should be familiar with this accommodations process already. See this [SHRM article](#) for more information.

CDC Call with Health Care Providers on Delta Variant. LeadingAge participated in an invitation only call for health and long-term care providers this week, convened in light of surging numbers of positive cases and the [new masking guidance](#) released today. “Much of the increase in spread of the Delta variant is driven by low vaccination rates, especially among health care providers,” a CDC official said. Among the top points covered:

- **The new guidance on masking is only guidance; it recommends that fully vaccinated people wear a mask indoors, reversing earlier guidance. State and local jurisdictions will need to make their own decisions about whether to take action and what action to take.**
 - No specific guidance from CDC around capacity of indoor spaces; that is up to the jurisdictions.
- **Vaccines remain the most effective defense against transmission.**
 - CDC “can’t issue mandates at this time,” but encourages providers and health systems to “move in that direction. We encourage consideration of mandates.”
- **Transmission of Delta variant**

- It is looking so far like viral loads with Delta are comparable for infected people who have been vaccinated or are unvaccinated. Potentially, they may be equally likely to transmit the Delta variant virus.
- **Breakthrough infections.**
 - Breakthrough infections are inevitable. Anything – like the Delta variant – that increases transmission is going to increase the number of breakthrough infections.
 - So far there is no evidence of reduced vaccine efficacy with Delta.
 - CDC seems especially concerned about breakthrough infections in nursing homes where they are most likely to cause severe illness, hospitalizations, and deaths.
 - CDC is tracking breakthrough infections that result in hospitalizations and deaths, but for a variety of reasons not tracking the role of the Delta variant in all cases, especially not in asymptomatic infections.
 - They are working on new messaging about breakthrough infections.
- **Should providers change what they are doing?**
 - None of the guidance has changed except masking.
 - CDC continues to recommend that exposed health care workers be tested and if positive, quarantine.
 - Today's guidance does not address mask types.
 - In terms of further sanitation guidance – nothing new today. CDC reinforces and will reiterate that while environmental factors play a limited role in transmission, high touch surfaces should be cleaned often.