

21 Personal Protective Equipment (PPE) for COVID-19 and such PPE should be
22 utilized for all patient encounters, regardless of the COVID-19 status; and

23 **WHEREAS**, on April 27, 2020, the “Governor’s Report to Open Texas”
24 included a “Long-Term Care: HHSC/DSHS Comprehensive Mitigation Plan”
25 which included among its recommendations: testing staff and residents upon the
26 first positive test for COVID-19 at a facility; that the facility implement a plan
27 addressing isolation, infection control, staffing, and other operational aspects of the
28 facility; that to the greatest extent possible, facilities should discourage staff and
29 employees from working at multiple facilities; that facilities should keep
30 individuals from interacting with both positive and non-positive patients, limit
31 unnecessary visitations, and incorporate enhanced screening and decontamination
32 techniques; that facilities shall inform all who currently or recently have interacted
33 with a facility with positive patient(s) so that further actions can be taken to control
34 the spread of infection; and that facilities that do not have a positive detection will
35 continue to undergo infection control assessments and enhancements; and

36 **WHEREAS**, residents and staff of nursing homes, assisted living centers
37 and long-term care facilities are at alarmingly greater risk of contracting COVID-
38 19 than the general public, representing nearly 20% of confirmed cases, nearly
39 two-thirds of COVID-19 deaths, with a mortality rate of five times that of the

40 general population of patients, as reported by Austin Public Health and the Office
41 of the Medical Director; and

42 **WHEREAS**, even prior to the official disaster declaration, the City of
43 Austin’s Interim Health Authority, Public Health Director, Nursing Home Task
44 Force, and other staff and community experts have worked unceasingly in
45 unprecedented conditions, across City departments, with other governmental
46 agencies, non-profit agencies and private enterprise, to prevent and mitigate the
47 spread of COVID-19 amongst vulnerable populations, including staff and residents
48 of nursing homes, to keep all Austinites as safe and healthy as possible; and

49 **WHEREAS**, as of April 26, 2020, Austin Public Health was investigating
50 COVID-19 clusters (defined as having two or more positive cases of COVID-19 at
51 a single location) at nearly one fourth of all long-term care facilities in
52 Austin/Travis County; and

53 **WHEREAS**, public health officials have stated that testing of staff and
54 residents at these types of care facilities is critical to halting the spread of the
55 disease, not only within the facility but also to family members and other persons
56 who may be in contact with staff members outside the facility; and

57 **WHEREAS**, public health officials have recognized the need for additional
58 staffing at impacted facilities due to increased activities necessary for controlling

59 the spread of COVID-19, historic understaffing at facilities, and the necessity to
60 quarantine staff who test positive; and

61 **WHEREAS**, public health officials have called for the use of “Strike
62 Teams” to provide additional staffing to assist facilities with medical, nursing, food
63 preparation, janitorial and other functions, such as the Rapid Assessment Quick
64 Response Force described in the “Long-Term Care: HHSC/DSHS Comprehensive
65 Mitigation Plan”; and

66 **WHEREAS**, the impact of quarantining staff is exacerbated by historic
67 understaffing, resulting from difficulty recruiting and retaining employees and
68 other factors, which can lead to workers taking employment at more than one care
69 facility and the inability of a facility to segregate staff into those caring for
70 COVID-19 positive and negative residents, which increases the likelihood of
71 transmitting the virus; and

72 **WHEREAS**, in addition to the threat to residents of care facilities, the threat
73 to the health of people with compromised immune systems and underlying health
74 problems make them exceptionally vulnerable to COVID-19, the most vulnerable
75 of whom would include, but not be limited to, persons experiencing homelessness,
76 fragile seniors living alone or with a volunteer caregiver, or unemployed/laid off
77 persons who feel compelled to abandon precautions for employment and might

78 only be contacted and served through social service and non-profit service
79 outreach; **NOW, THEREFORE,**

80 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

81 The City Manager is directed to take the following actions to address and
82 prevent the spread of COVID-19 in nursing homes, assisted living centers, and
83 long-term care facilities located in Austin:

84 1. The City Manager is directed to immediately provide for testing of all
85 staff and residents at nursing homes, assisted living centers and long-term care
86 facilities that experience a cluster of COVID-19 cases. A cluster is two or more
87 positive cases at one location as defined by the City Updated Order of Control
88 Measures for Vulnerable Populations at Long-Term Care Facilities and/or
89 Nursing Homes dated April 20, 2020.

90 a. No later than May 21, 2020, at a minimum the City Manager will
91 provide for and complete testing at the facilities located within the City's
92 jurisdiction and identified as A through M, on the COVID-19 Update dated
93 April 28, 2020, which was presented by Dr. Mark Escott at the Special Called
94 Meeting on the same date.

95 b. The City Manager shall develop a process for completing testing at
96 any additional facilities with a goal of within 10 business days of a cluster being
97 identified at any facility.

98 c. The City Manager shall develop a contingency procurement process
99 to meet this goal in the event of a shortage of testing equipment.

100 2. The City Manager is directed to develop and implement a plan to test
101 all staff at all nursing homes, assisted living centers and long-term care facilities
102 located in Austin as soon as possible. The plan and implementation timeline
103 shall prioritize facilities to be tested based on factors that indicate vulnerability
104 to the spread of COVID-19. Such factors may include spacing of two or more
105 residents living in a room and the acuity of residents' health status.

106 3. The City Manager is directed to immediately assess staffing needs and
107 deploy Strike Teams to all of the facilities identified as A through M on the
108 COVID-19 Update dated April 28, 2020 and located within the City's
109 jurisdiction that are in need of supplemental staffing assistance in order to
110 address and prevent the spread of COVID-19 in their facility. Also, the City
111 Manager is directed to deploy a Strike Force to such a facility whenever a
112 Quick Response Force deployed by the Texas Department of State Health
113 Services (DSHS) through the Emergency Medical Task Force is unavailable or
114 not immediately available.

115 4. The City Manager is directed to provide a funding mechanism for
116 retention and hiring incentives to employees providing nursing, care assistance,
117 food preparation, and janitorial services at facilities for the purpose of ensuring

118 adequate staff needed to respond to the unique and challenging public health
119 emergency created by the COVID-19 pandemic.

120 5. The City Manager is directed to acquire and make available CDC
121 recommended Personal Protective Equipment for COVID-19 to nursing homes,
122 assisted living, and long-term care facilities until such time as these facilities
123 are able to acquire the equipment through other medical supply sources.

124 **BE IT FURTHER RESOLVED:**

125 The City Manager is authorized to make the necessary resources available to
126 complete testing of staff and residents timely and in accordance with the dates
127 established in this resolution; fund the deployment of Strike Forces, provide
128 retention and hiring incentives in accordance with relevant legal requirements; and
129 provide for sufficient PPE.

130 The City Manager shall identify and seek reimbursement from the most
131 appropriate funding sources that may be available for the purposes identified in
132 this resolution, including state funds and/or CARES funds that the City Council
133 may designate for this purpose, in order to use the best funds for this purpose and
134 most effectively leverage available funding.

135 The City Manager shall place on the May 21, 2020 Council agenda and
136 additional Council agendas any budget amendments or other documents necessary
137 for Council ratification of expenditures for the purposes identified in this
138 resolution.

139 **BE IT FURTHER RESOLVED:**

140 The City Manager shall report to the City Council by May 21, 2020 the
141 following:

- 142 1. Results of testing at facilities identified as experiencing clusters;
- 143 2. Plan and implementation timeline for testing, as well as regular retesting
144 of nursing home staff, both clinical and non-clinical, as recommended by
145 the Health Authority, at all facilities;
- 146 3. Results of assessments of staffing needs, the number of Strike Forces
147 deployed, the implementation timeline for deployment, and projected
148 need for additional Strike Forces;
- 149 4. Status of retention and hiring incentive programs;
- 150 5. Status of access to recommended PPE.

151 The City Manager shall provide updates to City Council on this information
152 on an ongoing basis and shall identify additional actions and funding as needed to
153 prevent and mitigate the spread of COVID-19 in these facilities. The City
154 Manager shall consider best practices identified by the CDC and other experts
155 around the country when identifying additional actions and funding.

156 **BE IT FURTHER RESOLVED:**

157 The City Manager is directed to collaborate with the Design Institute for
158 Health, Dell Medical School to analyze, evaluate, and identify approaches for
159 system improvements to protect residents and reduce the risks of the spread of
160 COVID-19 in nursing homes, assisted living centers, and other long term care
161 facilities. The purpose of the analysis is to augment and assist the efforts of the

162 Health Authority, Austin Public Health, and the Nursing Home Task Force, which
163 are focused on immediate, emergency responses to the spread of COVID-19 in
164 these facilities. The analyses will be performed in phases and designed in
165 collaboration with the Health Authority, Austin Public Health, and the Nursing
166 Home Task Force. Analyses may address system issues, clinical and non-clinical
167 staffing, and/or other operational issues relevant to preventing the spread of
168 COVID-19.

169 The City Manager is authorized to make resources available to accomplish
170 these analyses. Analyses should begin as soon as possible, with results reported to
171 City Council in phases, beginning by the end of May 2020.

172 **BE IT FURTHER RESOLVED:**

173 The City Manager is directed to develop and implement plans to prevent and
174 mitigate the spread of COVID-19 amongst Austin's more vulnerable residents,
175 including, but not limited to: persons experiencing homelessness; fragile seniors
176 living in their own homes or with relatives; and populations with underlying health
177 conditions who have been compelled to find or maintain employment without
178 adequate protective equipment or measures.

179 If funding for the necessary resources for implementing emergency
180 responses for these populations is not immediately available from state, federal or
181 other sources, the City Manager is authorized to make such resources available,

182 return to City Council for ratification, and seek reimbursement from the
183 appropriate agencies. The City Manager will also provide reports on an ongoing
184 basis updating City Council on the progress of these programs.

185 **BE IT FURTHER RESOLVED:**

186 The City Manager is authorized to provide the resources necessary to
187 procure and provide to Austin Public Health additional ID NOW COVID-19 point
188 of care testing analyzer units and the test kits needed for the machines in order to
189 deploy and implement the testing required by these programs as rapidly and
190 extensively as possible.

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193 **ADOPTED:** _____, 2020 **ATTEST:** _____
194 Jannette S. Goodall
195 City Clerk
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