



Dear Colleague,

The New Jersey Department of Health (DOH) issued a policy permitting support persons to stay with hospitalized patients with intellectual and developmental disabilities (I/DD) on April 25, 2020. The Arc of New Jersey disseminated that policy in an email on April 27th.

The New Jersey DOH issued an updated policy on May 12, 2020, which replaces the earlier policy, and it is available here:



**TO:** Acute Care Hospitals Licensed Pursuant to N.J.A.C. 8:43G  
**FROM:** Judith M. Perschilli, RN, ESN, MA  
Commissioner

**SUBJECT:** Support Person(s) Permitted for a Patient with a Disability

**THIS MEMORANDUM REGARDING SUPPORT PERSON(S) PERMITTED FOR A PATIENT WITH A DISABILITY REPLACES THE MEMORANDUM ISSUED ON APRIL 25, 2020. ACCORDINGLY, THIS MEMORANDUM SUPERSEDES THE APRIL 25, 2020 GUIDANCE MEMORANDUM.**

On March 9, 2020 Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:15-1 et seq, and a State of Emergency, pursuant to the Disaster Control Act, in the State of New Jersey for Coronavirus 2019 Disease ("COVID-19"). In recognition of the fact that the virus that causes COVID-19 is easily transmitted, especially in group settings, hospitals implemented restrictions on visitors to the facility. Such limitations must take into consideration patient care and well-being.

The Department of Health (Department) considers a designated support person essential to patient care for patients with disabilities where the disability may be due to altered mental status, intellectual or cognitive disability, cognitive impairment including dementia, communication barriers or behavioral concerns. These patients include those with a developmental disability as defined at N.J.A.C. 10:44A and those with a psychiatric diagnosis receiving services pursuant to N.J.A.C. 10:37E. Therefore, hospitals are required to allow a designated support person to be with the disabled patient, in both the emergency room and during hospitalization, regardless of the reason for the hospitalization, for patients for whom a support person has been determined to be medically necessary. For these patients, especially with prolonged hospitalizations, the patient or family/caregiver may designate two support people, but only one support person may be present at a time.

The new policy is very similar to the previous one, with the main changes pertaining to the following:

- A clarification on having two support persons designated, especially with a prolonged hospitalization, but only one support person can be present at a time. Both support persons are subject to the same requirements of being tested, and they are permitted to have only extremely limited access to other areas of the hospital.
- The support person is permitted to leave and re-enter the hospital, but must be rescreened. Furthermore, hospitals should encourage the support person to remain at the hospital, if possible, to preserve PPE.
- Individuals who are age 70 and older are *not* encouraged to be support persons at the hospital because of increased risk for COVID-19 infection.

This is one of many emails that The Arc of New Jersey is distributing in an effort to help individuals with I/DD, their families, and staff to be safe and healthy throughout the COVID-19 pandemic. To see other emails that The Arc of New Jersey has distributed on this topic, please go to <https://www.arcnj.org/information/covid-19-updates-information.html>

Thank you.  
Bev

Beverly Roberts

**Director, Mainstreaming Medical Care**  
**The Arc of New Jersey**  
**985 Livingston Avenue**  
**North Brunswick, NJ 08902**  
**Direct line and fax: 732.246.2567**  
**[www.mainstreamingmedicalcare.org](http://www.mainstreamingmedicalcare.org)**