



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**LISA J. PINO, M.A., J.D.**  
Executive Deputy Commissioner

July 23, 2021

Re: DAL NH-21-16 Nursing Home  
Construction/Renovation Requirements

Dear Nursing Home Operators and Administrators:

This advisory is to inform nursing home operators of current allowances regarding the resumption of construction/renovation projects at nursing home facilities.

Construction projects, whether previously approved by the Department of Health (Department) but halted due to restrictions related to the State Disaster Emergency or newly approved by the Department, can now move forward with submission and approval of a safety plan. The safety plan must include, but is not limited to, a COVID-19 mitigation/prevention plan outlining at a minimum, testing, screening, PPE use, physical distancing from residents, etc. Construction safety plans should be submitted to the appropriate Department Regional Office for review and approval. Proposals received will be reviewed to ensure they meet all requirements and the goals of a safety plan.

The facility must adhere to all relevant CMS, CDC, and DOH infection control guidance, including but not limited to all current guidelines related to COVID-19 testing and screening.

In addition, each facility is required to have appropriate policies and procedures in place to address infection control and prevention and resident, visitor and staff safety during construction.

***Under no circumstance, will the Department allow for such resumption of a renovation or construction project(s) in or adjacent to any occupied, dedicated COVID-only unit absent emergency circumstances.***

Please contact your Regional Area Office for any questions related to your safety plan.

We thank you for your efforts in implementing these measures to prepare and protect your residents, staff, and visitors during construction and renovation projects.

Sincerely,

Sheila McGarvey, Director  
Division of Nursing Homes and ICF/IID  
Surveillance  
Center for Health Care Provider Services  
and Oversight