



State of New Jersey
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JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

April 25, 2020

TO: Acute Care Hospitals Licensed Pursuant to N.J.A.C. 8:43G

FROM: Judith M. Persichilli, R.N., B.S.N., M.A. 
Commissioner

SUBJECT: Support Person Permitted for a Patient with a Disability

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. 26:13-1 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, it is prudent for hospitals to implement 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, communication barriers or behavioral concerns. Therefore, hospitals are required to allow a designated support person to be with the disabled patient during hospitalization. This designated support person can be a family member, personal care assistant or another disability service provider knowledgeable about the patient’s care and must be allowed to remain with the patient while in the hospital, subject to the restrictions set forth below. The restrictions must be explained to the patient’s support person in plain terms, upon arrival or, ideally, prior to arriving at the hospital. Hospital staff should ensure that patient’s support person fully understands the restrictions.

The disabled patient’s support person must be asymptomatic for COVID-19 and must not be a suspect or recently confirmed case. Additionally, hospital staff must screen the support person for symptoms of COVID-19 (e.g., fever, cough, or shortness of breath), conduct a temperature check prior to entering the clinical area, and every twelve hours thereafter, and screen for potential exposures to individuals testing positive for COVID-19. Personal Protective Equipment (PPE) should be given to and worn by the designated support person. Once in the unit, the designated support person must have extremely limited access to other areas of the hospital and not be permitted to leave and re-enter the hospital.

Hospitals may restrict the presence of a designated support person should, in the Hospital's judgement, a shortage of PPE require use of the resources by direct patient care givers.

Additionally, if the hospital determines that a second support person is necessary for the disabled patient, and PPE availability permits, hospitals are permitted to have a second designated support person and may permit either designated support person to be present with the disabled patient. The screening requirement above is to be followed for both designated support persons.

If you have any questions concerning this matter, please contact Ms. Jean DeVitto, Executive Director, Certificate of Need and Healthcare Facility Licensure program, at jean.devitto@doh.nj.gov.