



# Shelby County Government

LEE HARRIS  
MAYOR

August 7, 2020

Governor Bill Lee  
Tennessee State Capitol, First Floor  
600 Dr. M. L. King Boulevard  
Nashville, Tennessee 37243

## VIA ELECTRONIC AND FIRST CLASS U.S. MAIL

Dear Governor Lee:

As the COVID-19 health emergency continues to impact many activities of daily living, I remain deeply concerned about our disabled and senior residents in long-term care facilities across the state. While it is heartbreaking that in-person family visits must remain curtailed, this is an understandable and reasonable restriction that protects those individuals who cannot live independently. I am writing regarding access for public guardians, investigators from Adult Protective Services, and first responders in an emergency.

### Public Guardians

First, my understanding is for the duration of the declared public health emergency, public guardians have been unable to see their wards in person. While the public guardians can receive reports from the facilities' treating health care professionals, there are some determinations that require an in-person visit. This is critically important where the individual cannot communicate. Some of these individuals are more or less incapacitated, and are often non-verbal. These issues touch and impact Shelby County. Individuals employed by our Aging Commission of the Mid-South frequently act as the court-appointed public guardians for Shelby County residents who have no one else to make their health and financial decisions. Thus, in the next Executive Order, I would ask that you please consider creating a process for safe, live visits by court-ordered public guardians.

### Adult Protective Services

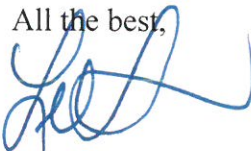
Second, I have some concern about whether Adult Protective Services (APS) investigators have appropriate access to long-term care facilities when there is a claim of abuse or neglect. In more normal circumstances, my understanding is that investigations of such a

claim would include a facility visit. I believe site visits should remain one of the possible components of abuse and neglect investigations, especially while family members have limited ability to collect information and advocate for their loved ones. Thus, in the next Executive Order, I would ask that you consider granting permission for APS investigators, in certain circumstances, to conduct site visits as part of abuse and neglect investigations.

### **First Responders**

Third, our local first responders have reported delays with respect to access to facilities and delivering potentially life-saving care in an emergency. The issue is that some facilities require full screening of ambulance personnel, even though emergency medical personnel have already screened when they report to their duty location. The full screening of each individual, often including signing forms, drastically increases response time for health emergencies including cardiac arrest and stroke, when time is of the essence. Thus, in the next Executive Order, I would ask that you permit emergency medical personnel entry without undue delay.

The roles of public guardians, Adult Protective Services investigators, and first responders each provide important protective functions for our senior and disabled community members. These are all very tough issues. However, I am confident that you will be able to strike the right balance of protecting nursing home residents from infection, while also creating a reasonable path for responses to health emergencies and protections from abuse and neglect. Please let me know how I may assist as we all navigate these truly unprecedented times.

All the best,  


Lee Harris  
Mayor

LH/jli

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