

# Elections and Voting Guidance for Long-term Care Facilities

American citizens who live in long-term care facilities in the United States have the right to vote. However, getting to the polls may be hard for some, especially during a pandemic. Mental or physical limitations may make it hard for these residents to get and/or cast a ballot and some assistance may be needed. This document explains ways that long-term care facilities can reduce the spread of COVID-19 while ensuring that residents have the opportunity to vote.

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## Voting during the COVID-19 pandemic

During the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) encourages residents of nursing homes or long-term care facilities to vote by mail with absentee voting. The CDC does not recommend using long-term care, assisted living, or senior living facilities as polling places for the general public. More information can be found on [CDC: Considerations for Election Polling Locations and Voters \(www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html\)](https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html).

A Minnesota statute is in place to address voting by residents of nursing homes or long-term care facilities: [Minnesota Statutes: 203B.11 Hospital Patients and Residents of Health Care Facilities \(www.revisor.mn.gov/statutes/cite/203B.11\)](https://www.revisor.mn.gov/statutes/cite/203B.11). Facilities are required to establish systems to promote and ensure the rights of residents to maintain access to voting. Facilities must ensure infection control measures are in place to mitigate and reduce the spread of the COVID-19 virus even while making sure that residents have the opportunity to vote.

## Reduce the spread of COVID-19 during the election season

### Voting by mail

- Absentee ballots are highly recommended during the COVID-19 pandemic. Plan ahead to assist residents, as needed, to make timely application for absentee ballots.

### Voting in person with election judge at facility

- According to the Office of the Minnesota Secretary of State, the State statute does not allow facilities to exclude election judges from entering the building even during the pandemic. The Secretary of State's Office indicates facilities should take steps to mitigate the spread of COVID-19 while making sure residents have the opportunity to vote. Facilities can accomplish this in a couple of different ways.

- Require that election judges deliver the ballots and observe voter certification only in common areas of the facility, rather than visiting each individual unit or room.

**Or:**

- Take the steps necessary under law to train and designate their own staff to administer the absentee voting process to residents (note that this option would require authorization by the relevant city council or county board, and training of facility staff by the county auditor or city clerk). See [Minnesota Statutes: 203B.11 Hospital Patients and Residents of Health Care Facilities \(www.revisor.mn.gov/statutes/cite/203B.11\)](http://www.revisor.mn.gov/statutes/cite/203B.11) and [Minnesota Laws 2020: Chapter 77--H.F.No. 3429 \(www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/77/\)](http://www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/77/), section 1, subdivision 2, clause (2).
- Screen the health of any election officials entering the facility to support residents' voting activities. Screen for fever or other symptoms of COVID-19 and check responses to appropriate screening questions.
- If election officials enter the facility to support residents' voting activities, require that they wear a face covering and any appropriate personal protective equipment, and provide access to alcohol-based hand sanitizer to ensure they have access to frequent hand hygiene. Election officials must perform hand hygiene before and after contact with each resident.
- Election officials or staff should disinfect pens and the table after each resident votes, using the facility's routine disinfectant.
- All people must wear face coverings in the voting area.
- Develop and implement a system and a schedule to minimize congestion in voting areas and to maintain physical distancing of residents while they wait to vote.
- More information is available on [Office of the Minnesota Secretary of State: 2020 Elections and COVID-19 \(www.sos.state.mn.us/election-administration-campaigns/elections-calendar/2020-elections-and-covid-19/\)](http://www.sos.state.mn.us/election-administration-campaigns/elections-calendar/2020-elections-and-covid-19/).

## Candidate visits and access to candidate information

In order to make informed choices related to candidates, it is important for residents to have access to information about the candidates. Establish protocols for candidates who ask for access to the residents and apply them uniformly to all the candidates. Candidates are not essential health care workers and are subject to visitation restrictions.

- Candidates could be allowed to speak to groups of residents outdoors, with adequate physical distancing.
- Candidates could speak to individual residents outside, following the outdoor visitation guidance if the facility chooses to set this up.
- At a minimum, facilities should have a notice at the front of the building indicating the facility is not currently allowing candidate visits in person, but acknowledging they are welcome to leave election materials for distribution.



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