

Elections and Voting Guidance for Long-term Care Facilities

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Long-term care facility residents may face challenges to exercising their voting rights, especially during a pandemic. Mental or physical limitations may make it hard for these residents to get to the polls or cast a ballot without assistance, and in-person visits to the polls may pose risks to people at higher risk of severe disease. This document explains ways that long-term care facilities can ensure residents have opportunities to vote that minimize any related risks of COVID-19 infection and spread.

Voting during the COVID-19 pandemic

Facilities should establish systems to promote and protect resident voting access, though it is important to emphasize that these efforts must be consistent with each facility's obligation to implement infection control practices that mitigate and reduce the spread of COVID-19. This guidance is designed to further these goals and address the existing legal procedures for long-term care facility resident absentee voting.

For example, Minnesota law allows residents to designate an agent to cast an absentee ballot on their behalf, and local authorities can designate election officials to visit long-term care settings to administer a facility-wide absentee vote. Refer to [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).

Reduce the spread of COVID-19 during the election season

Voting by mail

- Absentee ballots continue to be an important means of protecting the voting rights of long-term care facility residents, particularly for those at greater risk of COVID-19 infection and serious complications. Plan ahead to assist residents, as needed, to apply for, complete, and submit absentee ballots.

Voting in person with an on-site election judge

- According to the Office of the Minnesota Secretary of State, facilities may not exclude election judges from entering the building 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 an opportunity to vote. For example, a facility could:

- 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. Contact the appropriate local election officials (i.e., city council, county board) to discuss the option of training designated facility staff to administer the absentee voting process for residents. Refer to [Minnesota Statutes: 203B.11 Hospital Patients and Residents of Health Care Facilities \(www.revisor.mn.gov/statutes/cite/203B.11\)](#) and [Minnesota Laws 2020: Chapter 77--H.F.No. 3429 \(www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/77/\)](#), section 1, subdivision 2, clause (2).
- Screen election officials entering the facility for fever and other symptoms of COVID-19 and monitor responses to screening questions.
- Require election officials, staff, residents, and others in the voting area to wear well-fitting masks, and require all staff and election officials to follow standard facility infection control procedures for personal protective equipment.
- Provide staff and election officials access to alcohol-based hand sanitizer and instruct them on hand hygiene before and after contact with a resident.
- Instruct staff and election officials to disinfect pens and voting surfaces between residents, according to the facility's routine disinfection practices.
- Develop and implement a system and a schedule to minimize congestion in voting areas and to maintain physical distancing of residents waiting to vote.

More information is available at [Office of the Minnesota Secretary of State – Elections and COVID-19 \(www.sos.state.mn.us/election-administration-campaigns/elections-calendar/elections-and-covid-19/\)](#).

Candidate visits and access to candidate information

It is important for residents to have access to information about election candidates to make informed voting decisions. Facilities should establish protocols for candidates who seek to visit with or distribute information to residents and apply these protocols uniformly to all candidates. Candidates are not essential health care workers and are subject to the facility's ordinary visitation practices.

- Candidates must follow the infection control practices that apply to other visitors, including any health screening, masking, hand hygiene, and social distancing requirements.
- Facilities should consider holding candidate visits and speaking events outdoors when possible, following standard guidance and facility practice for outdoor visitation.



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