



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES

LANSING

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**MEMORANDUM**

Date: August 3, 2020

To: Migrant Housing Camp Operators, Agricultural Employers, and Local Health Departments

From: Joneigh Khaldun, MD, MPH, FACEP  
Chief Medical Executive and Chief Deputy for Health  
Michigan Department of Health and Human Services (MDHHS)

Subject: MDHHS Agricultural Employer Testing Public Health Order Guidance

**Executive Summary**

- The Michigan Department of Health and Human Services (MDHHS) is issuing a public health order requiring migrant housing camp operators to provide COVID-19 testing as follows:<sup>1</sup>
  - One-time baseline testing of all residents ages 18 and over
  - Testing of all new residents with 48 hours of arrival, with separate housing for newly arriving residents for 14 days afterward and a second test 10 – 14 days after arrival
  - Testing of any resident with symptoms or exposure
- MDHHS's order also requires some agricultural employers with over 20 employees on-site at a time to provide COVID-19 testing as follows:<sup>2</sup>
  - One-time baseline testing of all workers
  - Testing of all new workers prior to any in-person work
  - Testing of any worker with symptoms or exposure
  - Covered agricultural employers are:
    - Any employer of migrant or seasonal workers
    - Meat, poultry, and egg processing facilities
    - Greenhouses and indoor nurseries
- Given the significant risk of COVID-19 outbreaks in migrant housing and agriculture facilities, it is imperative that facilities provide routine testing to identify infections and contain spread as quickly as possible. These guidelines reflect epidemiological risk from various populations and form part of a comprehensive strategy, including strong infection prevention measures.
- Facilities must complete baseline testing and begin implementing ongoing testing as soon as practicable and no later than August 24<sup>th</sup>. Facilities have several options for how to do so, as outlined in this memorandum, including creating a facility-managed testing program, requesting state assistance, and utilizing testing resources in the general community.

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<sup>1</sup> Please see table on page two for additional details on each of the testing requirements.

<sup>2</sup> Please see table on page two for additional details on each of the testing requirements.

**Testing Requirements**

(Diagnostic tests: polymerase chain reaction (PCR), nucleic acid, or antigen tests)

An MDHHS Public Health Order requires that migrant housing camp operators and certain types of agricultural employers perform diagnostic testing for COVID-19 in some circumstances to rapidly identify cases, including among asymptomatic individuals, contain spread as quickly as possible, and prevent severe health outcomes for residents and workers.

As explained below, each of the guidelines reflects epidemiological risk of spreading COVID-19 into and within a facility. Note that all testing guidelines refer to diagnostic testing (not serology, antibody, or blood testing), and that testing must be conducted by a laboratory certified for Clinical Laboratory Improvement Amendments (CLIA) high complexity testing,<sup>3</sup> using a testing method with Food and Drug Administration (FDA) Emergency Use Authorization approval.

Circumstances When Diagnostic Testing Required <sup>4</sup>	Rationale
Baseline testing: one-time testing for all residents or workers <sup>5</sup>	Provide baseline identification of cases to isolate positives, if needed, and inform ongoing testing and infection prevention practices
All new residents within 48 hours of arrival or new workers prior to in-person work <sup>6</sup>	Provide screening prior to entry into facility to prevent introduction of infections
For migrant housing camps only, provide separate housing for newly arriving residents for 14 days and conduct a second test 10 – 14 days after arrival	COVID-19 can have an incubation period of 14 days, meaning that newly arriving residents may be developing an infection during that period, even if they test negative upon arrival. Separate housing prevents the potential introduction of an infection during that time. A second diagnostic test after 14 days confirms that a resident is not infected with COVID-19, allowing them to be moved into general housing facilities
Residents or workers with symptoms or suspected exposure	Provide diagnostic information for residents or workers showing symptoms of the disease or known exposure to the disease to inform safety practices and treatment

<sup>3</sup> Facilities may utilize a CLIA waived laboratory if using a CLIA waived test (e.g., a rapid point-of-care test)

<sup>4</sup> Employers and housing operators must obtain consent or assent from the individual to conduct testing

<sup>5</sup> Employers or housing operators may use testing conducted prior to this public health order to fulfill the baseline testing requirement for any individual still at the same migrant housing camp or working at the same employer. Residents or workers who did not participate in prior testing, because they declined, they were not present at the facility, or for any other reason, still need to complete a baseline test.

<sup>6</sup> Facilities do not need to test a new resident or worker who has already been tested in the prior 72 hours and received a negative result. In other words, testing for new workers or residents may be conducted up to 72 hours before arrival or after arrival.

## **Options for Meeting Testing Requirements**

MDHHS and the State of Michigan recognize the unprecedented challenges that the pandemic has placed upon agricultural facilities and are committed to helping facilities protect worker and resident safety. The remainder of the memorandum outlines the responsibilities of facilities in meeting these guidelines and the available options to do so.

Employers and housing operators must complete a plan by August 10, 2020 for how to conduct testing in compliance with this guidance and make it available to MDHHS, the Michigan Department of Agriculture and Rural Development, or the Michigan Occupational Safety and Health Administration upon request. Facilities must use the template attached to this memorandum to complete the plan.

**Facilities must complete baseline testing and implement ongoing testing as soon as practicable and no later than August 24, 2020.**

Employers and housing operators have several options for completing testing, outlined below, and may use different methods for completing different types of testing (e.g., one method may be best for one-time baseline testing of all workers or residents, while another may be best for testing a few symptomatic individuals). These options include:

### **1) Creating a facility-managed testing program**

Migrant housing camp operators and agricultural employers may contract with any capable medical provider, occupational health provider, or laboratory to arrange a testing program. Typically, medical providers collect patient samples, then send the samples to a laboratory to process and provide the test results. In some cases, medical providers and laboratories are separate entities that contract with each other to conduct different aspects of the testing process. In other cases, for example some hospital systems, medical staff have a laboratory partner already.

MDHHS maintains a [list of laboratories](#) with COVID-19 testing capabilities and the capacity to accept samples from new medical providers or congregate care facilities. Housing operators and agricultural employers should note that in-state laboratories typically offer faster turnaround times for processing and reporting results.

Employers or housing operators who create a testing program will be responsible for the costs involved. However, several options to cover or reduce those costs exist.

First, producers and processors are eligible to apply for grants to cover the costs associated with COVID-19 testing. COVID-19 testing costs can cover on-site testing, with full plant or individual testing at certified sites, including costs for staffing/medical personnel to administer tests and personal protection equipment for testing sites. Additional information and application instructions are available at <https://www.michiganbusiness.org/agsafety/>.

Second, many workers or housing camp residents may be eligible for Emergency Services Only (ESO) Medicaid. ESO Medicaid is available to individuals who otherwise would qualify for Medicaid, except for their immigration status; this could include H-2A workers and undocumented individuals.

ESO Medicaid covers COVID-19 testing. Employers or housing operators could help workers and residents apply for and receive ESO Medicaid, which would then cover the costs of testing conducted in line with MDHHS public health orders or policy guidance.

To do so, employers or housing operators should provide to workers and housing residents the following ways to apply: online via MiBridges at [mibridges.michigan.gov](http://mibridges.michigan.gov) (link for Spanish in bottom right hand corner), over the phone via the Medicaid Customer Services Hotline at 1-800-642-3195, or contact your local DHHS office [here](#) for a paper application that can be mailed in or dropped off.

For workers with other types of insurance, coverage will vary by insurer. Some insurers do not cover testing for individuals without symptoms, while others do.

## **2) Requesting state assistance**

Facilities that face challenges completing required testing can alternatively request state assistance. This could entail providing testing supplies (e.g., swabs) or directly conducting testing on-site at the facility and sending the samples to a laboratory for processing.

MDHHS will conduct testing through a partnership with federally qualified health centers in areas around the state. These health centers typically serve low-income and underserved populations and have experience working with immigrants. As needed, MDHHS may also work with other state contractors to conduct testing.

Employers and housing operators seeking assistance should submit a request to MDHHS at [MDHHS-Migrant-Affairs@michigan.gov](mailto:MDHHS-Migrant-Affairs@michigan.gov), using the attached template, by August 11, 2020. The State of Michigan will provide testing support as capacity allows. The state retains sole discretion to determine whether to fulfill requests for assistance. The state may alternatively direct requestors to testing resources available through medical providers and in the community.

MDHHS will cover the costs of testing provided through state assistance.

## **3) Utilizing community testing resources**

Finally, employers or housing operators may consider using test sites available in the general community. Please visit [michigan.gov/coronavirustest](http://michigan.gov/coronavirustest) to [find a test site](#) near you. The test site search feature includes filters such as “no-cost” and “tests people without symptoms” that may be helpful in locating a suitable site.

Using a “no-cost” test site should not result in charges to an employer or housing operator. Other types of sites often bill insurance for testing conducted; employers or housing operators may help workers and residents obtain ESO Medicaid to cover this testing (see instructions above) or may cover the cost of the testing themselves. Employers or housing operators may not pass costs for testing on to workers or residents, either directly or indirectly.

## **ATTACHMENTS**

Testing Assistance Request Template

Testing Plan Template: Agricultural Employers and Migrant Housing