

Question & Answer

Guidance for the Management of COVID-19 in the Hospitality Industry

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Does the Duty to Warn also apply to Landlords if an active Tenant is still occupying the building?

Yes, generally speaking, landlords have an obligation to warn tenants/invitees of dangers that may not be apparent.

Shouldn't pools, spas and exercise rooms be closed?

Yes - in most cases during the current outbreak those facilities should be closed since it is not possible to enforce social distancing requirements.

What screening questions can we legally ask guests at check-in?

The following questions can be asked of guests if their symptoms pose a potential health risk to others on site:

- Symptomology indicative of COVID-19
- Close interaction with a COVID-19 impacted or suspected individual
- Travel from areas with elevated risk of exposure

Note: This is a compilation of information from recognized sources and is not rendered as a legal opinion.

How should we legally screen hotel employees each morning? What questions are legal to ask given the pandemic?

The following questions may be asked of current hotel staff members in confidence:

- Inquiries as to general health and symptoms of COVID-19
- Close interaction with a COVID-19 impacted or suspected individual
- Travel from areas with elevated risk of exposure
- Permissible to take non-invasive temperature readings

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Are pets potential vectors for the virus (for example, if an infected person pets a dog or cat, would that animal potentially be able to transmit the virus to others)?

No from CDC - "At this time, there is no evidence that companion animals, including pets, can spread COVID-19 or that they might be a source of infection in the USA."

https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/animals.html?fbclid=IwAR1JnpZtu4isjQ0XaMoQ5cltFld_0DUfPzAFgXTiUynDtolXbYlk0NquZN4.

What guidance are we offering Hoteliers who might be entertaining idea of using their hotels as quarantine facilities and partnering with county health departments for use of their property?

According to the CDC - "A local surge in the need for medical care may require jurisdictions to establish isolation sites and alternate care sites (ACS) where patients with COVID-19 can remain for the duration of their isolation period. These are typically established in non-traditional environments, such as converted hotels or mobile field medical units. Isolation sites are intended to be locations for patients who do not require medical care, while ACS are intended to be locations for patients who require some degree of medical care." Hoteliers should contact their local health departments with respect to any local requirements that may be in effect.

<https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/alternative-care-sites.html>

What are your recommendations for hotels who are considering offering a discounted rate for caregivers so that they don't have to go home and exposure their families? The rooms would be separated from others where the general public may rent a room for nights, etc.

It is important that if hotels elect to house caregivers that they be isolated from other guests to the greatest extent possible including separate entrances and elevators/stairways, separate HVAC system, separate dining areas (or limit to room service) as well as enhanced cleaning of caregiver occupied rooms and notification to housekeeping. Caregiver guests should undergo enhanced screening with respect to symptomology and potential temperature screening. They should have separate laundering facilities if possible or should be encouraged to change out of hospital wear prior to entering the hotel. Interested hotels may want to look at <https://aplus.com/v/96259/four-seasons-offers-free-rooms-to-healthcare-workers/> .

Do you have a business interruption worksheet that is hospitality specific?

We have not developed a business interruption worksheet yet, but recommend that you contact your property coverage insurer regarding business interruption issues.

Public Relations was not part of the Risk Team. Should they be part of the group to control the messaging and to properly represent the hotel?

Public relations may be part of the team or may fall under the category of 3rd party consultants.

Regarding the application of HIPPA, I have clients who are concerned with reporting a potential third-party liability claim and identifying the name of the potential claimant when reporting to the carrier.

This question is not within our area of expertise.

For additional information, the presenter's information is included below:

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