

Election and Voting Guidance for Long-term Care Facilities

A COLLABORATION BETWEEN MINNESOTA DEPARTMENT OF HEALTH, OFFICE OF OMBUDSMAN FOR LONG-TERM CARE, LONG TERM CARE IMPERATIVE, AND OFFICE OF THE SECRETARY OF STATE

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 residents. Some assistance or support may be needed for residents to get access to and/or cast a ballot. This document explains ways facilities can reduce the spread of illness while ensuring that residents have the opportunity to exercise their right to vote.

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 illnesses. This guidance is designed to further these goals, address the existing procedures for resident voting, highlight resident rights on this topic and outline ways to support residents to vote.

Voting options

The Voter Information for Social Services and Health Care Workers fact sheet from the Office of the Minnesota Secretary of State is designed to help highlight the various voting options residents have available to them and how to support those rights.

Voting in person

- All residents have the right to leave the facility and cast a ballot in person. Facilities may offer personal protective equipment, hand sanitizer or other tools to support those who wish to cast their ballot at their local polling location.

All residents have the right to cast a ballot in person

- Residents have a right to leave the facility to cast a ballot in their designated polling place.
- Resident's may need support arranging a ride to their local polling location.
- Staff can support residents who desire to vote by ensuring:
 - They are registered to vote — <https://mnvotes.sos.mn.gov/VoterRegistration/index>.
 - Verifying their polling place — <https://pollfinder.sos.state.mn.us/Default.aspx>.

Voting by mail

- Absentee ballots continue to be an important means to protect the voting rights of long-term care facility residents, particularly for those at greater risk of illness, infection, and serious health complications.
- Minnesota law allows residents to designate an agent to cast an absentee ballot on their behalf, plan to assist residents, as needed, to apply for, complete, and submit absentee ballots.

Staff may help residents exercise their right to vote with an absentee ballot

- Staff may print blank absentee ballot request forms to provide to residents or leave forms in a common area.
- Blank Absentee ballot.
 - Request form — <https://www.sos.state.mn.us/media/2444/english-regular-absentee-ballot-application.pdf>.
 - Applying on-line — <https://mnvotes.sos.mn.gov/abrequest/index>.
- In Minnesota you can vote early with an absentee ballot starting 46 days before election day.
- Beginning June 1, 2024, you can register or re-register to vote and request to be a “permanent absentee voter” which will trigger a ballot to be sent to your address for each election. You may register online at or print a paper form — <https://www.sos.state.mn.us/elections-voting/register-to-vote>.
- Voters can receive support in filling out their ballot from another person or election judge but must be able to communicate their choices and not have their vote influenced by others.
- Staff or residents may return completed absentee ballot requests by mail, in-person by 8 p.m. on Election Day to the election office that sent it to you, or a [ballot drop box location](#). Additionally, you can have someone drop it off for you. A person can drop off ballots for up to three voters and will need to show identification with name and signature to drop off ballots for others.
- Reach out to your County Election Office for support — <https://www.sos.state.mn.us/elections-voting/find-county-election-office/>.

Guidance when residents receive their absentee ballot

- Read the instructions that come with your ballot carefully.
- Your ballot won’t count if you do not complete all the forms.
- Voters will need a witness to indicate their proof of residence.

Guidance when residents mark their absentee ballot

The signature envelope that includes the certification statement may be mailed or delivered in person to the office listed on the return envelope.

- Only the voter or agent (defined as someone who is at least 18 years old and has a pre-existing relationship with the voter) may return a voted ballot to the office listed on the return envelope.
- Agents returning another's ballot need to sign an agent delivery record and show identification that includes their name and signature.
- Agents cannot return others' voted ballots for more than three voters in an election.

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. The Secretary of State's Office indicates facilities should take steps to mitigate the spread of illness 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 visit each individual unit or room.
- 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 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.

Tips for staff and residents

- Don't wait to get started on the absentee ballot process. Start now!
- Track your ballot. All absentee ballots that are received on time and had the forms filled out correctly will be counted. Visit <https://mnvotes.sos.mn.gov/abstatus/index> to track the status of your ballot and confirm that it was received and counted.
- Voting while under guardianship is allowed unless a judge specifically has taken away the right to vote in a court order.

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.

Important dates and deadlines

- Absentee ballots are usually mailed out about 46 days before the election.
- Election Day is Tuesday, Nov. 5, 2024. Absentee ballot needs to be returned and received by 8 p.m.
- Additional information about voting dates and deadlines can be found here: <https://www.sos.state.mn.us/election-administration-campaigns/elections-calendar/>.

What if we have problems of residents who can't cast their vote?

- Contact the Minnesota Disability Law Center — 1-800-292-4150
- Contact the Minnesota Secretary of State's Office — 1-877-600-VOTE (8683) <https://www.sos.state.mn.us/elections-voting/register-to-vote/who-can-vote/>
- Contact Office of Ombudsman for Long-Term Care — 1-800-657-3591 or 651-431-2555
- Contact your County Election Office here — <https://www.sos.state.mn.us/elections-voting/find-county-election-office/>

Additional resources

- Voting from a nursing home or hospital — <https://www.sos.mn.gov/elections-voting/other-ways-to-vote/voting-from-a-nursing-home-or-hospital/>
- Compliance with Residents' Rights Requirement related to Nursing Home Residents' Right to Vote — <https://www.cms.gov/medicareprovider-enrollment-and-certificationsurveycertificationgeninfo/policy-and-memos-states-and/compliance-residents-rights-requirement-related-nursing-home-residents-right-vote>
- New Laws to Take Effect June 1 for Absentee Voting and Voter Registration — <https://sos.mn.gov/about-the-office/news-room/new-laws-to-take-effect-june-1-for-absentee-voting-and-voter-registration/>

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To obtain this information in a different format, call: 651-201-4200.