

## **SOS GUIDANCE: HEALTH CARE FACILITIES**

### **FOR NOVEMBER 3, 2020 GENERAL ELECTION DURING COVID-19 PANDEMIC**

#### **ISSUE**

[CDC guidance](#) suggests that all Health Care Facilities (HCF) close to all outside guests, and HCFs—which include hospitals and dementia-specific assisted living programs—in Iowa are following that guidance. In most HCFs, only essential HCF staff are allowed to enter these facilities. Therefore, county auditors are unable to send in bi-partisan teams to assist residents with absentee voting.

#### **IOWA CODE OR ADMINISTRATIVE RULE**

Absentee voting in HCFs are covered in [Iowa Code Section 53.22](#).

#### **WHAT HAS NOT CHANGED**

**HCF residents are required to request a ballot in order to receive one.** You may send an absentee request form directly to each HCF resident or send a bundle of forms to the designated staff of the HCF as you have done in the past. They too are under a lot of stress and may not have time to deliver forms to patients.

**REMEMBER: HCF residents do not need to provide an ID Number on their absentee ballot request form.**

#### **WHAT HAS CHANGED**

Instead of sending a bi-partisan team to the facility, **the County Auditor now will mail absentee ballots directly to HCF residents who request them**. A voter can choose any individual to assist them if needed.

Attached are two documents that must be provided to anyone who is going to assist an HCF resident with voting an absentee ballot. [Notice to Person Giving Assistance](#) explains what a person can and cannot do to assist the voter, and the [Affidavit of Voter Requesting Assistance](#) must be completed and returned with the absentee ballot. Provide copies of these documents to the HCF and include them in the absentee ballot package you send to any HCF resident.

**Any voter admitted to an HCF after the absentee ballot request deadline (Saturday, October 24) can request and receive an absentee ballot.** That includes on election day, November 3.

#### **CONCLUSION**

Contact the administrator of each HCF within your county to let them know of the temporary change in the HCF voting process for the November 3, 2020 General Election.

# Notice to Person Giving Assistance

Due to the COVID-19 pandemic, County Auditors are unable to send bi-partisan teams to assist Health Care Facility residents with absentee voting. Therefore, you have been selected by a resident of your health care facility to lend assistance in marking their mailed absentee ballot.

As a person selected to assist a voter you are subject to rules set out in Iowa Code section 49.90.

- You must mark the ballot as directed by the voter.
- You cannot give any information to anyone about the choices the voter made.

## **Failure to follow these rules may lead to a criminal charge of Election Misconduct.**

- If a voter requests assistance from you, first give the voter an Affidavit of Voter Requesting Assistance to complete. You may assist the voter with completing it. The form **MUST** be returned with the voted ballot.
- Next, read the directions included with the mailed absentee ballot either with or to the voter.
- You may read the ballot to the voter and/or mark the ballot as the voter directs.
- You may **not** lead or coax a voter to make certain choices. Discussions with the voter regarding which candidates to choose cannot occur once the ballot has been issued.
- If the voter does not express their choice on every office or section it is acceptable to leave offices or sections of the ballot blank. A voter must be able to make a clear, conscious selection in order for you to mark the ballot.
- If you make a mistake, mark the ballot spoiled, and contact the County Auditor for a new ballot.
- Only the voter, or an individual in the presence and at the direction of the voter, may sign the Absentee Ballot Affidavit Envelope. The voter may use a stamp of their signature.
- Finally, package and return the absentee ballot according to the directions provided by the County Auditor.

### **You CAN answer questions about how to mark the ballot.**

- **Do I have to vote for all of the offices?**
  - The answer is, “No, you do not have to vote on each race.”
- **If a race is a vote for two (or more), do I have to vote for all of them?**
  - The answer is, “No, you can vote for just one.”
- **Do I have to fill in the target or bubble all the way?**
  - The answer is, “Yes, you need to fully darken the target.”

### **You CAN NOT answer questions about what to mark on the ballot.**

- **Who is the incumbent?**
- **Which are the judges that voted....?**
- **Is this going to raise taxes?**
- **Which campaign ad said ....?**

