

## COVID-19 Vaccine Requirements FAQs

### CMS Requirements

[CMS Vaccine regulation Press Release](#)

<https://www.cms.gov/files/document/covid-19-health-care-staff-vaccination-ifc-6-infographic.pdf>

<https://www.natlawreview.com/article/cms-requires-covid-19-vaccination-health-care-facility-staff>

On November 4, CMS announced an interim final rule that requires COVID-19 vaccination for Health Care Facility staff for most Medicare and Medicaid providers and suppliers to vaccinate within 60 days. It includes even staff that does not have direct contact with patients.

### Who does this include?

The new rule applies to specific categories of providers that participate in the Medicare and Medicaid program: ambulatory surgery centers; hospices; psychiatric residential treatment facilities; programs of all-inclusive care for the elderly (PACE programs); hospitals (including acute care hospitals, psychiatric hospitals, long term care hospitals, and children's hospitals); long term care facilities (including skilled nursing facilities and nursing facilities); intermediate care facilities; home health agencies; **comprehensive outpatient rehabilitation facilities**; critical access hospitals; **clinics, rehabilitation agencies, and public health agencies as providers of outpatient physical therapy and speech-language pathology services**; community mental health centers; home infusion therapy suppliers; rural health clinics; federally qualified health centers (FQHCs); and end stage renal disease facilities.

### Who is exempt?

- Those who do not participate in the Medicare or Medicaid program
- Physician offices, assistant living facilities, group homes, or home and community based service providers
- Staff who exclusively provide telehealth or telemedicine services and who do not have any contact with patients or other staff

### What is required?

1. Develop a process or plan for vaccinating all eligible staff against COVID-19
2. Develop a process or plan for providing exemptions and accommodations for staff members who are eligible for an exemption from COVID-19 vaccine requirement
3. Develop a process for tracking and documenting staff vaccinations and exemptions

### How will these requirements be enforced?

Onsite survey reviews. If facility is out of compliance, they are subject to citations. If facility does not come to compliance after citation, it is at risk for additional enforcement actions including losing Medicare or Medicaid payment.

### Exemptions, how do those work?

Medical and religious exemptions to the vaccine must be allowed in accordance with federal law.

For medical exemption-documentation must be signed and dated by a licensed practitioner.

### Testing... if I fall under these regulations, can I just test instead of getting the vaccine?

Vaccination for COVID-19 is the only option (unless eligible for medical or religious exemption)

Testing is not an allowed alternative to vaccination, however facilities may require testing as a precaution in addition to the vaccination requirement.

### What is the timeline for this?

-1<sup>st</sup> dose required by December 6, 2021

-Full vaccination by January 4, 2022