

Publications

CMS to Expand COVID-19 Vaccination Mandate to Hospitals, Home Health Agencies and Other Health Care Settings

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Jolie N. Havens

J. Liam Gruz

Robin P. Amicon

Related Industries

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On September 9 2021, President Biden announced a six-pronged national action plan to combat COVID-19. Part of the administration's strategy will be a push to vaccinate those who are still unvaccinated, including a focus on those individuals working in health care settings. The Centers for Medicare & Medicaid Services (CMS), in collaboration with the Centers for Disease Control and Prevention (CDC), is in the process of drafting emergency regulations requiring vaccinations for workers in hospitals, dialysis facilities, ambulatory surgical settings, and home health agencies, among others, as a condition for participating in the Medicare and Medicaid programs. This will build on the vaccination requirements released last month for nursing home workers, and is intended to apply to clinical staff, individuals providing services under arrangements, volunteers, and staff who are not involved in direct patient, resident, or client care. The CMS press release regarding this upcoming mandate can be found [here](#) and the White House action plan can be found [here](#).

In the CMS press release, CMS Administrator Chiquita Brooks-LaSure states "[a]s the Delta variant continues to spread, we know the best defense against it lies with the COVID-19 vaccine. Data show that the higher the level of vaccination rates among providers and staff, the lower the infection rate is among patients who are dependent upon them for care." The mandate will apply to approximately 50,000 providers and cover a majority of health care workers across the country. CMS urges care workers employed in these facilities who are not currently vaccinated to begin the process immediately. Facilities are urged to use all available resources to support employee vaccinations, including employee education and clinics, as they work to meet new federal requirements.

The emergency regulations are expected to be released in October as an interim final rule with comment period. We will keep you updated as this rule develops and are here to address any questions or concerns you have about how this new rule may affect your organization.