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Policy Title: Covid-19 Vaccine & Immunization of Staff
Policy Type: Administrative Policy, Section: Care of Patients
Policy Number: 388C

Last Approved Date: November 2021

Purpose: The SARS-CoV-2 virus is a contagious and deadly virus that causes the coronavirus disease 2019, which has impacted millions worldwide, is responsible for countless deaths, and is a global COVID-19 pandemic. The development of the SARS-CoV-2 vaccine provides a means to help prevent the spread of the virus and adds a layer of protection for you, your coworkers, patients, and family. Healthcare workers and our patients are more vulnerable to SARS-CoV-2 than members of the general population, and we have an ethical and moral responsibility to protect vulnerable patients from communicable diseases. The most effective strategy for preventing SARS-CoV-2 is vaccination. The available SARS-CoV-2 vaccines are either fully approved by the FDA or approved for emergency use, depending on the vaccine brand. On November 5, 2021, the Centers for Medicare & Medicaid Services (“CMS”) implemented an interim final rule mandating COVID-19 vaccinations for healthcare employees, which rule is intended to address the grave danger of COVID-19 in health care. This policy is intended to comply with the CMS interim final rule 42 C.F.R. §482.42(g) as amended, and to implement best health practices in vaccinating all eligible employees.

Objective: To require COVID-19 Vaccines for Covenant HealthCare Staff.

Scope: All Covenant HealthCare Staff. “Staff” is defined as follows: Regardless of clinical responsibility or patient contact and including all current staff as well as any new staff, who provide any care, treatment, or other services to Covenant HealthCare and/or its patients: employees, licensed practitioners, students, trainees, volunteers, individuals who provide care, treatment, or other services for Covenant HealthCare and/or its patients, under contract or by other arrangement, contracted staff, medical staff, allied health staff members, residents, practitioners and vendors. This policy is not limited to those Staff who perform their duties within a formal clinical setting, as many health care staff routinely care for patients and clients outside of such facilities and interact with other Staff outside of such facilities. Individuals who provide services 100 percent remotely, such as fully remote telehealth services, are

not subject to this Policy, so long as they do not have any direct contact with patients or any other Staff.

Policy: All existing and newly hired Staff covered by this policy are required to be fully vaccinated as a term and condition of employment at or service to Covenant HealthCare. Staff are presently considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer-BioNTech or Moderna vaccines, two weeks after a single-dose vaccine, such as the Janssen (Johnson & Johnson) vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. All Staff are required to report their vaccination and booster status and to provide proof of vaccination to Covenant HealthCare on request. Staff must provide truthful and accurate information about their COVID-19 vaccination status. Staff not in compliance with this policy may be placed on an unpaid leave of absence or be subject to discipline up to and including termination.

Staff may request an exception from this mandatory vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Staff also may be legally entitled to a reasonable accommodation if they cannot be vaccinated because of a disability, or if the provisions in this policy for vaccination conflict with a sincerely held religious belief, practice, or observance as required by federal and state law. Requests for exceptions and reasonable accommodations must follow the procedures set forth in this policy. All such requests will be handled in accordance with applicable laws and regulations.

Staff who are fully vaccinated against COVID-19, as well as staff who are granted an accommodation under this policy, **will still be required** to comply with all applicable current policies and guidelines for masking, social distancing and PPE use by the CDC, state and local governments, or Covenant HealthCare policy, including Covenant HealthCare's COVID-19 Preparedness and Response Plan (DER.002), which is incorporated herein in full by reference.

Procedure:

1. All Staff covered by this policy must be or become fully vaccinated prior to providing any care, treatment, or other services to Covenant HealthCare and/or its patients. Staff will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. The term "fully vaccinated" is subject to modification as guidance from applicable regulatory authorities evolves. This section complies 42 CFR §482.42(g)(3)(i).
2. All Staff covered by this policy must have received their first dose of a two-part COVID-19 vaccine, such as Moderna or Pfizer-BioNTech, or a single dose of a one-part COVID-

19 vaccine, such as Janssen (Johnson & Johnson) no later than December 5, 2021. All employees must have received all doses of a two-part COVID-19 vaccine, such as Moderna or Pfizer-BioNTech, with recommended intervals in between doses, by January 4, 2022. This section complies 42 CFR §482.42(g)(3)(i).

3. All new Staff, including in particularly newly hired employees, are required to comply with the vaccination requirements outlined in this policy as soon as practicable and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment. This section complies 42 CFR §482.42(g)(3)(i).
4. Staff must report their COVID-19 vaccination status, including producing proof of vaccination acceptable to Covenant HealthCare in its sole discretion, to Covenant HealthCare immediately upon request. This includes providing dates of each vaccination dose and brand of vaccine, including any booster doses as recommended by the CDC. This section complies 42 CFR §482.42(g)(3)(iv), (v).
5. Consistent with Covenant HealthCare's EEO and Reasonable Accommodations Policies and applicable law, Covenant HealthCare provides reasonable accommodations, absent undue hardship, to (i) employees with sincerely held religious beliefs, observances, or practices that conflict with this policy and to (ii) qualified employees with disabilities for whom a COVID-19 vaccine is medically contraindicated or any other employee for whom a COVID-19 vaccine is medically contraindicated. Employees seeking accommodation under this policy must submit the applicable completed Request for Medical Accommodation form or Request for Religious Accommodation form to the human resources department to begin the accommodation process.

Accommodations will be granted only as required by applicable law and in such a manner that does not cause the Covenant HealthCare undue hardship or pose a direct threat to the health and safety of others. Covenant HealthCare reserves the right to review and assess the necessity and efficacy of any granted accommodations and to rescind or modify any accommodation considering changes of circumstances or applicable case law, statutes or guidelines. This section complies 42 CFR §482.42(g)(3)(i), (ii), (vi), (vii), (viii), (ix).

6. Any employee seeking an exception or exemption from this policy must return the applicable Request for Medical Accommodation form or Request for Religious Accommodation form to the human resources department. Covenant HealthCare is entitled to and may request additional information from the employee upon receipt of any Request for Accommodation, an employee must respond to any such request within forty-eight (48) hours. Failure to timely submit the Request for Medical Accommodation form or Request for Religious Accommodation form or to respond to a request for information may result in denial of the request for accommodation and an unpaid suspension until requested information is received in Human Resources. This section complies 42 CFR §482.42(g)(3)(i), (ii), (vi), (vii), (viii), (ix).
7. All medical information collected from Staff, including vaccination information, and information related to any applicable disability, will be kept by the Human Resources

Department in accordance with applicable laws and policies on confidentiality and privacy. This section complies 42 CFR §482.42(g)(3)(iv), (v).

8. All Staff who are not fully vaccinated must comply with Covenant HealthCare's COVID-19 Preparedness and Response Plan (DER.002). This section complies 42 CFR §482.42(g)(3)(iii), (x).
9. Any Staff covered by this policy who refuses or fails to become vaccinated or otherwise fails or refuses to comply with Covenant HealthCare's COVID-19 Preparedness and Response Plan (DER.002) may be subject to an unpaid leave of absence for a period of time or discipline up to and including termination to employment. This section complies 42 CFR §482.42(g)(3)(iii), (x).

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Reviewed by: Infection Prevention Department
Human Resources
Employee Health
Risk Management

Approval:

Beth Charlton – Executive Vice President Operations/CNO

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Date