**CMS Update: COVID-19 Vaccination Requirements - Revised**

 Monday, October 31, 2022

On October 26, 2022, CMS released an update for revised guidance for staff vaccination requirements. ALECC, Inc. has provided a summary of the report for your convenience.

Beginning 2022, noncompliance with COVID-19 vaccination requirements can lead to civil monetary penalties, denial of payments and final measure termination of participation in Medicare and Medicaid programs. Staff vaccination rates under 100% of unexcepted staff constitute noncompliance under the rule.

**Requirements:**

All staff must have completed primary vaccination series for COVID-19. This includes volunteers, physicians, clinicians and office staff.

Staff that provide services via telehealth or telemedicine are exempt from this requirement.

Staff that have a documented medical or religious exemption must be provided additional precautions that **may** include:

* Follow additional CDC recommended precautions such as universal source control/ physical distancing measures in non-patient care areas (such as break rooms)
* Reassigning staff to non-patient care areas, duties that can be performed remotely or duties which limit exposure to those at most risk
* Weekly testing for unvaccinated staff
* Wearing of NIOSH -approved N95 or higher-level respirator for source control, regardless of whether they are providing direct care to or otherwise interacting with patients

**Survey:**

Surveyors will be expected to perform compliance reviews of the staff vaccination requirements as part of initial certification, recertification and reaccreditation surveys and in response to complaint allegations related to staff vaccination requirements.

**Policy Review:**

Review of contingency plan developed to mitigate the spread of COVID-19 infections (see above for exemption).

Review of tracking/records

Tracking needs to include each staff member’s vaccination status to include:

* Dates of each dose received and booster if applicable.
* Exemption from vaccination employee’s documentation including those that are temporarily delayed and date they can comply.

**Record review:**

* Education and offered vaccination.
* Interview staff and ask if they plan to get vaccinated, if they have declined to get vaccinated, and if they have a medical contraindication or religious exemption.
* Request and review documentation of medical contraindication.
* Request to see employee record of the staff education on the hospice policy and procedure regarding unvaccinated individuals.
* Observe staff providing care to determine compliance with current standards of practice with infection control and prevention.
* Survey of at least 1 unvaccinated contractor or staff member to review contingency plan compliance

To read the full document: <https://www.cms.gov/files/document/qs0-23-02-all.pdf>