

COVID-19 Update 6/22/2021- Legal and Regulatory Requirements



Since January of 2021, with direction from the White House, the Centers for Medicare & Medicaid Services (CMS), in conjunction with the US Dept of Health and Human Services (HHS), the US Occupational Safety and Health Administration (OSHA), and the Federal Emergency Management Agency (FEMA), have been developing a robust policy and operational response to COVID-19. We are beginning to see the pieces of this “COVID Pandemic Plan” unravel with new legislation and regulations being released to all levels of the healthcare community over the last few months.

Healthcare facilities are seeing state imposed Focused Infection Control Surveys, requirements for COVID testing and reporting, and most recently Federal requirements for all long-term care facilities to track and report the COVID-19 vaccine status of all employees and contracted/agency staff that provide care within their facilities. Most recently, **a new OSHA requirement will require all healthcare facilities, including our own, to inquire and track our employee’s vaccination status** and report these findings to long-term care management if you continue to service patients within their facilities. In addition, we will be required to implement **enhanced infection control procedures (i.e., masking, social distancing, quarantine) for field staff and in the office for unvaccinated staff.**

In connection with these changes, the US Equal Employment Opportunity Commission (EEOC) released a statement that the Americans with Disabilities Act (ADA) and the reasonable accommodation and non-discrimination acts, including Title VII of the Civil Rights Act, do not interfere with or prevent employers from following the guidelines and suggestions made by CMS, OSHA, CDC, or state/local public health authorities regarding COVID-19. With regards to vaccinations, the EEOC concluded **that federal EEO laws do not prevent employers from requiring employees to report vaccination status, asking about vaccination status as a condition of employment, or requiring all staff who physically enter the workplace (includes off-site work areas such as patient homes or facilities) to be vaccinated.**

Phoenix Home Care & Hospice has, and will continue to, remain prudent in implementing these requirements, respecting the individual rights of each of our valuable employees without judgement or coercion. At this time, we are NOT being forced to require all healthcare workers to receive the COVID-19 vaccination, and as a Christian-based company we hope we never have to ask that of our team members. But we do want to keep all staff aware of the regulations being handed down, the trends we are seeing in policies, and the possibility of future, tougher stipulations to remain active in the healthcare industry, and public service in general.

We also want to ensure you have access to all the education, material, counseling, and one-on-one conversations needed to allow you to make an informed decision about the COVID-19 vaccine, and its role to our patients and in our healthcare community. You will continue to see more information being released regarding the vaccine, as well as individual accounts from executive team leaders who have received the COVID-19 vaccine. We hope that this information proves useful in your discussions with your family and friends, and can help you to make the right decision for YOU when it comes to vaccination. We will also be reaching out to our local health departments to inquire about offering vaccine clinics at some of our local offices to reduce the burden on staff who wish to be vaccinated. If you are wanting a COVID-19 vaccine, and need assistance in obtaining one, please feel free to contact your supervisor, executive leader, or myself, and we will assist you in finding resources. COVID-19 vaccination remains free to all US citizens.

Care Well & Keep Well,

Emily Hobbs, RN

Corporate Compliance Officer

417-881-7442 x1049

ehobbs@phoenixhomehc.com

cc: Phil Melugin, Owner



Phoenix Home Care & Hospice
COVID-19 TASK FORCE

Three Reasons Why You Were Given Top Priority to Be Vaccinated Against COVID-19



- 1 You are on the front lines and risk being exposed to people with COVID-19 each day on the job.
- 2 Protecting you also helps protect your patients and your family, especially those who may be at higher risk for severe illness from COVID-19.
- 3 You matter. And you play an essential role in keeping your community healthy.

Lead the way!

Encourage your coworkers, patients, family and friends to get vaccinated.



www.cdc.gov/coronavirus/vaccines