

VALLEY SENIOR LIVING  
PERSONNEL POLICY AND PROCEDURE

Policy #: 202.22

Policy Name: Skilled Nursing Facility Mandatory Coronavirus (COVID-19) Vaccination

I. Policy

Skilled Nursing facilities have a clinical and ethical obligation to prevent the transmission of COVID-19. Vaccination for COVID-19 is one effective control method to prevent COVID-19 transmission. To protect residents, employees, employee's families, and the community from COVID-19, all employees, licensed practitioners, students, trainees, volunteers, independent contractors, and any individuals who provide care, treatment, or other services for VSL and/or its residents, under contract or by other arrangement hereinafter referred to as staff, will be required to be vaccinated for COVID-19 (except for those who have been granted exemptions from the COVID-19 vaccine, or those for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC). This policy is based on current Federal and CMS requirements.

II. Policy Interpretation and Implementation

By February 14<sup>th</sup>, 2022, any person required to receive a COVID-19 vaccination under this policy must have, at a minimum, the first dose of a primary series, or a single dose COVID-19 vaccine (except for those who have been granted exemption from the COVID-19 vaccine, or those individuals for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC).

By March 15<sup>th</sup>, 2022, any person required to receive a COVID-19 vaccination under this policy must complete their primary vaccination series (except for those who have been granted exemption from the COVID-19 vaccine, or those individuals for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC).

All employees covered by this policy are required to be fully vaccinated as a term and condition of employment at VSL unless exempt for medical or religious purposes as outlined below. An employee's non-compliance with this policy will be viewed as a voluntarily resignation.

Any licensed practitioner, student, trainee, volunteer, or independent contractor who fails to comply with the COVID-19 vaccination requirements shall be removed from their schedule/placement until such time when such person either receives the COVID-19 vaccination, or complies with masking, testing, or other accommodation requirements, if such person has been granted an exemption.

**NEW HIRES**

Effective February 14<sup>th</sup>, 2022, all new hires (employees, licensed practitioners, students, trainees, volunteers, independent contractors, and any individuals who provide care, treatment, or other services for VSL and/or its residents, under contract or by arrangement) will need to meet one of the following requirements prior to providing any care, treatment, or other services for the facility and/or its residents:

1. Provide proof of a completed COVID-19 vaccine series.
2. Provide proof of a partially completed series (first dose of a two-dose COVID-19 vaccine series) and provide supporting documentation of when a second dose of vaccine is to be administered.
3. Have received an approved exemption from Valley Senior Living prior to providing any care, treatment, or other services for the facility and/or its residents.

New hires after February 14<sup>th</sup>, 2022, who have a medical contraindication, or a sincerely held religious belief, practice or observance that prevents them from receiving the COVID-19 vaccine, or those individuals from whom the COVID-19 vaccination must be temporarily delayed as recommended by the CDC, must have received an approved exemption from the COVID-19 vaccine prior to providing care, treatment, or other services for the facility and/or its residents.

## **ACCEPTABLE FORMS OF PROOF OF VACCINATION**

All vaccinated individuals are required to provide proof of COVID-19 vaccination, regardless of where they have received the vaccination. Proof of vaccination status shall be submitted to the Human Resource Department.

Acceptable proof of vaccination includes:

1. The record of immunization from a healthcare provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine.

## **EXEMPTIONS**

There are certain exemptions an individual may request in order to not receive a COVID-19 vaccine:

### **1. Medical Exemption**

An individual may request an exemption from this mandatory vaccination policy if the vaccine is medically contraindicated for them, or medical necessity requires a delay in vaccination. Recognized medical contraindications\* to the COVID-19 vaccine include:

- Severe allergic reaction (e.g., anaphylaxis) after a previous dose or to a component of an mRNA COVID-19 vaccine (Moderna or Pfizer-BioNTech).
- Immediate allergic reaction of any severity to a previous dose or known (diagnosed) allergy to a component of the vaccine.
- Persons who have a contraindication to an mRNA COVID-19 vaccine (Moderna or Pfizer-BioNTech) may be able to receive the Janssen COVID-19 vaccine. In addition, persons who have a contraindication to Janssen COVID-19 may be able to receive an mRNA COVID-19 vaccine.

\*Contraindications are based on recommendations from the CDC.

If requesting an exemption based on a medical contraindication, an individual must provide documentation that is signed and dated by a licensed practitioner, who is not the individual requesting the exemption, and who is acting within their respective scope of practice. Such documentation needs to contain: (a) all information specifying which of the authorized COVID-19 vaccines are clinically contraindicated for the individual to receive, and the recognized clinical reasons for the contraindications; and (b) a statement by the authenticating practitioner recommending that the individual be exempted from the facility's COVID-19 vaccination requirements based on the recognized clinical contraindications.

## **2. Religious Exemption**

An individual with a sincerely held religious belief, practice, or observance, which prevents them from receiving the COVID-19 vaccine may apply for an exemption from the mandatory COVID-19 vaccination.

Once VSL receives notice of the individual's sincerely held religious belief, practice, or observance, VSL will review the individual's request for an exemption. After review, VSL may grant an exemption from the COVID-19 immunization unless it would pose an undue hardship as defined by Title VII of the Federal Civil Rights Act of 1964.

If VSL has an objective basis for questioning the sincerely held religious belief, practice, or observance, VSL may request additional information from the individual to substantiate the individual's request for an exemption. VSL, however, may not dictate the form in which the additional information must be provided (e.g., require interviews). An individual who fails to cooperate with VSL's reasonable request for verification of a sincerely held religious belief, practice, or observance, risks losing any subsequent claim that the employer improperly denied an accommodation.

## **EXEMPTION REQUESTS**

Individuals seeking a medical, or religious exemption must submit the Request for COVID-19 Vaccination Exemption form to the Human Resource Department prior to February 14<sup>th</sup>, 2022, and have received an approved exemption before being able to continue to provide care, treatment, or other services for the facility and/or its residents.

Licensed practitioners, students, trainees, volunteers and independent contractors seeking a medical, or religious exemption must submit the Request for COVID-19 Vaccination Exemption form to the Human Resource Department, and have received approval, prior to providing any care, treatment, or other services for VSL and/or its residents.

If a non-VSL employee has been granted a medical, or religious exemption from their employer or academic institution, the non-VSL employee must provide proof of an approved exemption to VSL's Human Resource Department prior to providing any care, treatment, or other services for VSL and/or its residents.

## **REVIEW**

The VSL Review Board will meet and review the request for an exemption and the submitted documentation.

- Medical Exemptions. All requested medical exemptions will be reviewed by the VSL Review Board consisting of the VSL Medical Director, or their designees.
- Religious Exemptions. All requested sincerely held religious belief, practice, or observance exemptions will be reviewed by the VSL Review Board consisting of the Chief Human Resources Officer, the Assistant Director of Human Resources, or their designees.

After receiving a request for an exemption, the VSL Review Board will inform the employee of their decision within five (5) business days of receipt of the Request for COVID-19 Vaccine Exemption form. If the exemption is granted for a sincerely held religious belief, practice, or observance, or a temporary medical condition, the employee must resubmit a Request for Exemption Form each year with the Human Resource Department. If an exemption is granted for a permanent medical condition (e.g., allergy), the exemption does not need to be requested each year unless vaccine technology changes and eliminates issues regarding allergies.

## **CONTINGENCY PLANNING**

By February 14<sup>th</sup>, 2022, any person required to receive a COVID-19 vaccination under this policy must have, at a minimum, the first dose of a primary series, or a single dose COVID-19 vaccine (except for those who have been granted exemption from the COVID-19 vaccine, or those individuals for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC). An employee who fails to comply with these requirements will be placed on an unpaid administrative leave effective February 14<sup>th</sup>, 2022, and will remain on this leave until the employee either begins a COVID-19 vaccine series, or has an approved exemption. If an employee remains non-compliant up until March 15<sup>th</sup>, 2022, VSL will accept their non-compliance as a voluntary resignation.

By March 15<sup>th</sup>, 2022, any person required to receive a COVID-19 vaccination under this policy must have completed their primary vaccination series (except for those who have been granted exemption from the COVID-19 vaccine, or those individuals for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC). An employee who fails to meet these requirements will be placed on an unpaid administrative leave effective March 15<sup>th</sup>, 2022, and will remain on this leave until the employee either completes their COVID-19 vaccine series, or has an approved exemption. If an employee remains non-compliant up until April 15<sup>th</sup>, 2022, VSL will accept their non-compliance as a voluntary resignation.

(Please note that remaining on an unpaid administrative leave could result in the employee needing to provide financial compensation to VSL in order to continue their health and additional insurance benefits.)

## **MITIGATION**

If an individual covered by this policy is not fully vaccinated (e.g., if they are granted an exemption from the mandatory vaccination requirement because the vaccine is contraindicated for them, or granted an exemption due to sincerely held religious belief, practice, or observance), VSL will require the individual to adhere to national infection prevention and control standards for unvaccinated health care personnel which may include, but not limited to; wearing an approved face mask covering the nose and mouth at all times while inside VSL facilities or vehicles, or while providing care, treatment, or other services for the facility and/or its residents, and submit to mandatory testing, or other agreed upon reasonable accommodation(s) as determined on a case-by-case basis.

Any VSL employee who has an approved exemption from the COVID-19 vaccination and who fails to comply with masking, testing, or other accommodation requirements, shall be placed on unpaid suspension and removed from the work schedule until such time when the employee receives the COVID-19 vaccination.

**RECORD KEEPING**

The Human Resource Department will maintain a list of all employees, licensed practitioners, students, trainees, volunteers and independent contractors and their vaccination status.

**CONFIDENTIALITY AND PRIVACY**

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing or the exemption process, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

Effective Date: November 11, 2021

Authorized By:



Garth Rydland, President/CEO



Adam Edwards, CHRO

Revision Dates: December 3, 2021, January 24, 2022.

Attachment(s): Skilled Nursing Facility - Request for COVID-19 Vaccine Exemption



**Valley Senior Living**  
**Mandatory COVID-19 Vaccination**  
**Skilled Nursing Facility - Request for COVID-19 Vaccine Exemption**

Name: \_\_\_\_\_

Department: \_\_\_\_\_ Job Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Supervisor: \_\_\_\_\_

**Reason for request for COVID-19 Vaccine Exemption:**

- Medical Contraindication prevents me from receiving the COVID-19 vaccine.**

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* You must provide documentation signed and dated by a licensed practitioner, who is not the individual requesting the exemption, and who is acting within their respective scope of practice, and such documentation must contain: (a) all information specifying which of the authorized COVID-19 vaccines are clinically contraindicated and the recognized clinical reasons for the contraindications; and (b) a statement by the authenticating practitioner recommending that you be exempted from the facility's COVID-19 vaccination requirements based on the recognized clinical contraindications.

- Sincerely held religious belief, practice, or observance prevents me from receiving the COVID-19 vaccine.**

If yes, complete steps 1-4:

- 1) Please identify the Valley Senior Living requirement, policy, or practice that conflicts with your sincerely held religious belief, practice, or observance.
  
  
  
  
  
  
  
  
  
  
- 2) Please describe the nature of your sincerely held religious belief, practice, or observance that conflicts with the Valley Senior Living requirement, policy, or practice identified above.

3) What is the accommodation or modification that you are requesting?

4) List any alternative accommodations that also would eliminate the conflict between the Valley Senior Living requirement, policy, or practice and your sincerely held religious belief, practice, or observance

**Supporting documents or information may be requested by Valley Senior Living to support an individual's request for a COVID-19 vaccine exemption.**

\_\_\_\_\_  
Signature of Individual

\_\_\_\_\_  
Date

.....  
For Use by HR

Individual is exempt from the COVID-19 vaccine.

Individual is not exempt and must receive the COVID-19 vaccine by \_\_\_\_\_.

Explanation: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CHRO/HR Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
MD/IP Signature

\_\_\_\_\_  
Date

