

About the CMS Final Ruling: COVID-19 Vaccine Staff Requirement

What is the deadline to be vaccinated?

- By December 6, 2021, all employees must have received at least one dose of an approved COVID-19 vaccine.
- By January 4, 2022, all employees must have received their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines (the recommended interval between doses is 21 days for Pfizer-BioNTech and 28 days for Moderna.)

Who must be vaccinated according to the CMS Final Ruling regarding vaccine requirements?

- The vaccination requirements apply to all eligible staff, both current and new, working at a facility regardless of clinical responsibility or patient contact, including:
 - Facility Employees
 - Licensed Practitioners
 - Students
 - Trainees
 - Volunteers
 - Contracted Staff
- The vaccination requirements also apply to staff who perform duties offsite (e.g. home health, home infusion therapy, etc.) and to individuals who enter into a CMS regulated facility.

I am fully vaccinated. Do I have to receive the booster shot to comply with the new guidelines?

- No, a third vaccine or booster is not a current requirement.

I've had COVID-19. Do I still have to get vaccinated?

- Yes. Public health experts recommend receiving the COVID-19 vaccine even if you have previously had the virus.

What if I contract COVID-19 between now and the deadline?

- As soon as you have cleared from the health department and out of quarantine, you are eligible to be vaccinated.
- If you have received an antibody infusion, you must wait 90 days to be vaccinated. If these timelines prohibit you from being fully vaccinated by the deadline, please contact your HR/BOM for guidance.

How do I sign up for a COVID-19 vaccine?

- Ask your Executive Director or Vaccine Ambassador about the next onsite vaccine clinic. In the meantime, employees can be vaccinated at any local pharmacy. COVID-19 vaccines are free to all Americans.

COVID-19 VACCINE REQUIREMENT FAQ

Can I choose which vaccine to get?

- Yes. While certain vaccines may only be available at our onsite vaccine clinics, employees are welcome to receive any of the following vaccines:
 - Pfizer-BioNTech COVID19 Vaccine (interchangeable with the licensed Comirnaty vaccine)
 - Moderna COVID-19 Vaccine
 - Janssen (Johnson & Johnson) COVID-19 Vaccine
- If an employee elects the Janssen (Johnson & Johnson) COVID-19 Vaccine, they must receive their vaccine dose by December 6, 2021.
- Please note that it is recommended that subsequent injections (second dose or booster) are the same brand as any previous injections (i.e. if your first dose of the vaccine was Moderna, your second dose and booster dose should also be Moderna).

If an employee comes into work on their day off for a vaccine clinic, should they clock in?

- No. All employees who choose to be vaccinated will be awarded with extra PTO (half day for part time employees, full day for full time employees) to cover personal time taken to get the vaccine, whether at one of our clinics or local pharmacy.

If an employee has a reaction to the COVID-19 vaccine that requires time off from work, do they use accrued PTO?

- Yes.

If an employee has a reaction to the COVID-19 vaccine, will it be covered under workers' compensation?

- Workers' compensation insurance helps protect businesses and their employees from financial loss when an employee is hurt on the job or gets sick from a work-related cause.
- If an employee has a reaction to a COVID vaccine they received at work which results in a financial loss, we encourage them to apply for workers' compensation.
- For more information, contact your center Human Resources or Business Office Manager or email benefits@exceptionallivingcenters.com.

What happens if the deadline comes and I'm not vaccinated?

- If an employee is not vaccinated by the deadlines listed above and has not been approved for an exemption, it will result in a voluntary resignation, effective immediately.
- Employees in good standing will remain eligible for rehire once they become vaccinated.
- For information on unemployment eligibility in your state, please contact your state unemployment office:
 - <https://uiclaimsportal.ky.gov/s/>
 - <https://dwd.wisconsin.gov/ui/>
 - <https://www.in.gov/dwd/indiana-unemployment/>
 - <https://unemploymenthelp.ohio.gov/>

COVID-19 VACCINE REQUIREMENT FAQ

Will visitations cease if visitors aren't proven to be vaccinated?

- Visitors are not covered by the CMS final rule. Visitors who have a positive viral test for COVID-19, symptoms of COVID-19, or currently meet the criteria for quarantine should not enter the facility. Facilities should screen all who enter for these visitation exclusions.

There are several legal battles regarding the CMS final ruling. How will this affect ELC's approach to staff vaccine requirements?

- We are moving forward as if the final rule will not be lifted. We are monitoring the situation closely and will share updates if changes are made nationally.

Who do I contact if I have other questions or concerns?

- Talk with your Executive Director, Vaccine Ambassador or email benefits@exceptionallivingcenters.com.

About Vaccine Exemptions

What exemptions are available to employees?

- CMS requires facilities to allow for the following exemptions to staff in accordance with federal law:
 - Recognized medical conditions for which vaccines are contraindicated
 - Religious beliefs, observances, or practices

How does an employee apply for an exemption?

- Ask your HR/BOM for an exemption form.
- Medical exemptions require a letter from your physician.
- Religious-related exemptions require a letter outlining the following points:
 - Identify religious denomination
 - Identify specific church and contact at that church
 - Provide information as to the duration of membership with specific church
 - Identify church doctrine on which claimed exemption is based
 - Identify church's history with respect to its position on vaccination prior to COVID
- Employees granted medical or religious exemptions will be required to wear full PPE while on duty and must agree to regular (daily or weekly) testing.
- Please remember, simply submitting the request does not guarantee it will be accommodated.
- Every submission will be reviewed by the corporate office for its unique circumstances and the employee will receive a written response once a determination has been made.
- Questions about medical and religious exemptions can be submitted to benefits@exceptionallivingcenters.com.

If an employee is not eligible for the first dose until after the stage 1 deadline because of a recent COVID-19 diagnosis and/or they received monoclonal antibodies as treatment for COVID-19, do they need to file for a medical exemption?

- Yes. In this case, temporary accommodations will be made to protect our staff and residents until the employee is cleared for vaccination.

If I previously submitted a request that has been approved or is still under evaluation, do I need to resubmit my information?

- Interactive Process calls for Title VII requests will start 11/15/21. Anyone who has already submitted exemption requests do not have to make a secondary submission. We will reach out to the employee with any additional questions that may be necessary to adjudicate the request.

Will ELC hire new employees that have exemptions?

- Yes. New employees will follow the same policies and procedures as current employees.

What happens if my exemption request is approved?

- An unvaccinated person may not have routine direct contact with at risk individuals and therefore are eligible for the following positions with the following accommodations.

Potential positions for exempted staff could include but are not limited to:

- Food service director
- Food service assistant
- Cook
- MDS coordinator
- Business office director
- Business office assistant
- HR specialist
- HR payroll

Potential accommodations for exempted staff could include but are not limited to:

- Testing
- Physical Distancing
- Source Control (Masks, etc.)

What happens if my exemption request is denied?

- If an employee is not vaccinated by the deadlines stated in the CMS Final Rule and has not been approved for an exemption, it will result in a voluntary resignation, effective immediately.
- Employees in good standing will remain eligible for rehire once they become vaccinated.
- For information on unemployment eligibility in your state, please contact your state unemployment office:
 - <https://uiclaimsportal.ky.gov/s/>
 - <https://dwd.wisconsin.gov/ui/>
 - <https://www.in.gov/dwd/indiana-unemployment/>
 - <https://unemploymenthelp.ohio.gov/>

About the PTO Benefit

- Our Protect The Others Free PTO program has been extended. All employees who choose to be vaccinated will be awarded with extra PTO (half day for part time employees, full day for full time employees).
- Eligible employees must be hired before the date that the first vaccination shot is required, per the regulations.
- New employees, vaccinated prior to employment with ELC, are not eligible for the additional PTO.
- The employees will only receive the PTO hours once they receive their initial COVID-19 immunization. Additional PTO will not be granted for booster vaccinations.
- Once the “Certification” is logged into Paycor, the PTO hours will be added into the employee’s PTO “available balance” to be used at a date of their choosing. It will not be paid out automatically on the next check.