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CENTERS FOR MEDICARE & MEDICAID SERVICES  
QUALITY IMPROVEMENT & INNOVATION GROUP

# Vaccination Mandate

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Preparation tips and resources for nursing homes

August 20, 2021

# Background

In light of independent efforts by an increasing number of states calling on all health care providers across the care continuum to get vaccinated as a term of employment, the Biden administration announced on August 20, 2021 that all *nursing home* staff must be vaccinated against COVID-19 or risk losing Medicare and Medicaid funding. Currently, approximately 82.4% of residents and 60% of staff per facility are vaccinated, the Centers for Medicare & Medicaid (CMS) reported. The delta variant has been behind 80% to 87% of all COVID-19 cases in the U.S. during the last two months according to data reported by the CDC. The emergence of the Delta variant caused cases in nursing homes to soar, from a low of 319 on June 27, to 2,696 cases on August 8, federal figures show. Many of the recent outbreaks have occurred in facilities in areas with the lowest staff vaccination rates, CMS officials said. CMS Administrator, Chiquita Brooks La-Sure said the organization will work with nursing homes to “address staff and resident concerns.” The plans and details of this mandatory vaccination policy have yet to be drafted by CMS and are expected sometime in September.

## Perspectives

I PRO QIN QIO understands deeply the numerous and complicated issues this presents to nursing home providers, residents, staff, and family. Our effort with this resource is not to articulate all of the well-known and vehemently articulated issues, but to offer tips and resources to assist with this pressing issue. The announcement has led to an array of concerns and questions across the care continuum. In some states the decree was intended for all health care settings while this mandate targets only nursing homes. This, no doubt, will be part of CMS’ policy discussions. Many fear that nursing home staff will leave their employers because of a vaccination mandate but, among corporations that have already imposed mandatory vaccinations, this has not been the case. Employers have heard the arguments and refusals from a band of vocal non vaccinated staff members but, are hearing in equal numbers from staff who have thanked them because unvaccinated staff have made their jobs more difficult by bringing the unwanted variant back into their buildings. Another group of providers shared that staff did, in fact leave, but later asked if they could return - a request to which many employers said yes. Much is still to be decided in the coming weeks but among those who have already begun mandatory vaccinations, they have been pleasantly surprised by staff response.

## Tips

I PRO QIN QIO offers these tips which we have seen successfully deployed since working closely with nursing home providers. [Use the Word document](#) version to personalize the letter to your organization.

### Tip 1: Personal Letter to Unvaccinated Staff

Several organizations who have already mandated vaccinations used the tactic of sending a personal letter home to a staff member in advance of their organization’s mandate deadline. It read like this:

*Dear Regina,*

*You are a valuable asset to our organization. Thank you for the care you provide to our residents, the teamwork you engage in on a daily basis, and for helping to make XXX home a wonderful place to live and work.*

*As you know, a new federal order is about to be enacted forcing nursing home providers to insist that all staff be vaccinated. The intent is to protect the vulnerable residents from COVID-19 infection. We understand that*

*this is a very personal and often complicated issue. We are aware of the challenges this represents for all of our staff and, for you personally, knowing that you have yet to get vaccinated.*

*We want to extend to you our deepest regard and hope you will take an opportunity in the very near future to talk with your direct supervisor or me about your reservations, lingering questions or issues so that we might address them and ensure your continued employment with us. If you would like to share some of your concerns with us we have included a survey where you can explain your reasons for declining the shot. If you need to schedule an appointment for a vaccine, you can find the link here. You are a valuable member of our team and we will do as much as possible to help you with this difficult decision.*

*Thank you again.*

## Tip 2: Expect the Best but Prepare for the Worst

Anticipate issues in the coming months and, where possible staff up. Assuming that staff respond by getting vaccinated, consider contracting with agency personnel in advance to assure staffing and care requirements can be met when your staff's health is briefly affected by the vaccination.

If a vaccination deadline has already been decided upon (by a Board or leadership), consider staffing contingency plans of approximately 3% staff loss at the time of the deadline. Contract in advance for agency staff (or an internal staffing pool which many organizations have adopted).

Some organizations encountering reluctant staff who don't meet the deadline are planning to pull staff off the floor, furlough them for 60 days after which their employment is terminated.

**Adopt a Non-Direct Care staff position** within your care setting to ease the burden on licensed staff. This effective strategy utilizes a team of employees who provide vital services across the organization but, are not involved in the direct, hands-on care of a resident for tasks that requires a license. These staff members can provide enormous support by relieving licensed staff of burdensome tasks that keep them from providing resident care. During staffing shortages, these staff can have a great impact on workflow. Well trained non direct care staff can provide an array of hospitality services, care services, supervision, admissions, administrative, cleaning, and organizing services.

## Tip 3: Equal Opportunity Concerns

Religious and medical exemptions will no doubt arise. One employer suggests you review exemptions currently active among staff using influenza as your baseline or benchmark for comparison. This will give you an idea of the number of those staff who already expressed a special need in the past and limits exposure to potential abuse of the policy. Watch that baseline number to be sure it doesn't jump. Employers who instituted mandatory vaccination suggest you:

- Review every exemption with the staff member directly.
- Require written documentation for every exemption:
  - For medical exemptions, the staff member needs a doctor's note.
  - For religious exemptions, the staff member needs a note from a religious leader and an example of other times the employee invoked a religious exemption in other areas of their life.

If you are going to grant exemptions, a plan for reasonable accommodation must be considered. In some cases, staff are being asked to wear full PPE throughout the day. Consider also a requirement for competency testing in PPE donning and doffing to prevent un-intended spread of infection.

#### Tip 4: Vaccine Champions

Utilize the power of peer-to-peer influence by designating and educating a team of Vaccine Champions. These are a team of enthusiastic, positive, informal leaders. Provide them with badges, shirts or other identifying paraphernalia that make them identifiable to other staff. Provide them with training that includes sound bites and facts to defend vaccination. Help them to articulate their personal story so they can easily offer their own testimonial. Consider having a Vax Rally-an energized food and fun event with prizes, led by the Vax team.

#### Tip 5: Strategies for Employers to Promote the Vaccine Message

- Ensure the information is personal and targeted to the individual, so it addresses their questions and concerns in a nonjudgmental way.
- Communicate using simple, clear language when explaining side effects or any potential risks associated with the vaccine.
- Convene town hall meetings with workers and identify champions within your workplace who are trusted and can deliver the message. Many workers may feel comfortable with the health care provider at their workplace providing them information and sharing their experience.
- It is important to acknowledge and be truthful about uncertainty to help gain trust.
- Storytelling about those affected positively by vaccinations is more likely to be effective than statistics.
- Consider incentivizing employees (e.g., paid time off to get vaccinated) who receive the vaccine to encourage them to contribute to a safe and healthy workplace.
- Acknowledge COVID-19 fatigue and emotional well-being issues that employees are experiencing this past year.
- Encourage vaccination among employees' family members including eligible children. If you are providing a vaccination program for your employees, consider inviting family members to participate.

#### Tip 6: Targeted Messages for Health Care Workers

- Protect yourself – you are on the front lines and risk being exposed to people with COVID-19 each day on the job.
- You can transmit the virus to patients, your co-workers, your family, and to others in your community if you do not get the vaccine.
- Protecting yourself also helps protect your patients, coworkers, family, and community including those who may be at higher risk for severe illness from COVID-19.
- Vaccination allows you to protect vulnerable patients that you care for every day.
- You matter and play an essential role in keeping your community healthy.
- You are a leader in science and can set an example to others in the community.
- You can serve as a vaccine champion and positively influence vaccination decisions of peers, patients, friends, and family.