Philadelphia Department of Public Health
Division of Disease Control

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Health Advisory

Exemptions, Testing, and Recordkeeping for SNF and Healthcare Workers When Masking is Strongly Recommended
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SUMMARY POINTS

- <u>SNF</u> workers must follow CMS guidance for testing employees who are not up to date with COVID vaccination
- Screening testing is required for unvaccinated healthcare workers other than those who work in SNFs when the Department *"Strongly Recommends"* masking.
- This health advisory outlined the PDPH guidance for vaccine exemptions, COVID-19 testing, masking, and recordkeeping.

While the City of Philadelphia no longer requires COVID-19 restrictions in most indoor spaces, masking and screening testing requirements for healthcare institutions and healthcare workers are modified according to the Philadelphia Department of Public Health's (the Department) recommendations. These recommendations may change based on average daily case rate; hospitalizations, and rate of case increase.

The two recommendations that will determine the masking and testing requirements necessary for healthcare institutions and healthcare workers are:

- *Strongly Recommended:* Level of masking announced by the Department when two of the three metrics are true: average daily case counts are more than 100; or hospitalizations are over 50, or cases have risen by 50% or more in the last 10 days. Masking is required in non-clinical spaces; screening testing is required for individuals with valid vaccination exemptions.
- *Optional, but Recommended*: Level of masking announced by the Department when two of the three metrics are true: average daily case counts are less than 100; or hospitalizations are under 50, or cases have not risen by 50% or more in the last 10 days. Masking is not required in non-clinical spaces; screening testing is not required for individuals with valid vaccination exemptions

Any changes to a current recommendation will be announced via traditional print and social media, posted on the Department's website, and communicated in Health Action Notifications (HAN). Skilled Nursing Facilities are required to follow Centers for Medicare and Medicaid Services guidelines for screening testing, isolation, and quarantine. This health advisory discusses in detail the PDPH guidance relating to these considerations.

<u>Exemptions:</u>
An individual may not simply opt out of vaccination. They must submit a medical or religious exemption to the Healthcare Institution where such individual works according to the policies set by the institution. The Institution will determine if an exemption applies.

Healthcare Institutions and organizations that are granting exemptions must create appropriate exemption policies to implement this regulation. Institutions may establish stricter vaccination policies for their workers, contractors, and volunteers that exceed the requirements of the Vaccine Mandate Regulation, to the extent otherwise permitted by applicable law.

A Healthcare Worker or Healthcare Institution Worker who is granted an exemption must strictly follow the applicable accommodation, including documenting their participation in the accommodation process that their employer or institution has agreed upon. Healthcare Institutions are required to keep records of vaccination status of all vaccinated individuals, exemptions requested and granted, and participation in accommodations granted. Records must be made available to PDPH upon request.

Self-employed Healthcare Workers must carefully document the need for exemption and ongoing compliance with routine testing as set forth below under "Accommodations for Exemptions."

Medical
The Healthcare Worker or Healthcare Institution Worker may request an exemption by submitting a certification from a licensed healthcare provider to the appropriate Healthcare Institution.
Medical exemptions must include a statement signed by a licensed healthcare provider that states the exemption applies to the specific individual submitting the certification because the COVID-19 vaccine is medically contraindicated for the individual. The certification must also be signed by the Healthcare Worker or Healthcare Institution Worker. For the purposes of the Vaccine Mandate Regulation a licensed healthcare provider means a physician, nurse practitioner, or physician assistant licensed by an authorized state licensing board.

Religious
The Healthcare Worker or Healthcare Institution Worker may request an exemption by submitting a signed statement in writing that the individual has a sincerely held religious belief that prevents them from receiving the COVID-19 vaccination. An institution may request the worker explain in the certification why the worker's religious belief prevents them receiving the COVID-19 vaccine.
Philosophical or moral exemptions are not permitted.

Accommodations for Exemptions
Healthcare Institutions must instruct exempted workers to comply with, and such workers must comply with, one of the following options for accommodation:

1. Routine Testing: Exempt individuals must be tested by a PCR test or an antigen test for COVID-19 at least twice (2x) per week. The two tests should be spread out appropriately over the week, but there is not a required time interval to account for varying schedules. If the individual's test is within 72 hours of their work shifts for the week, one test may suffice.
    a. Skilled Nursing Facility Settings
        i.   All Skilled Nursing Facilities operating within the City of Philadelphia must follow federal regulations for testing as specified by the Center for Clinical Standards and Quality/Survey & Certification Group, Department of Health and Human Services of the Centers for Medicare and Medicaid Services QSO-20-39-NH, revised 3/10/22 ("the Bulletin"), or its successor if the successor has increased testing requirements.
        ii. If at the time of rescission or update, the Department's testing requirements are more restrictive than those of the Bulletin, the Department will provide updated guidance to Skilled Nursing Facilities.
    b. Non- Skilled Nursing Facility Settings
        i.   For all healthcare workers and healthcare institution workers not employed in or providing services in a Skilled Nursing Facility, routine screening testing for COVID-19 via PCR or antigen testing is not required when masking is *"Optional but Recommended"*.
        ii. Routine testing for COVID-19 via PCR or antigen testing must resume as previously required when masking is *"Strongly Recommended"*.

2. Testing guidance for exempt healthcare workers and patrons who test positive for COVID-19:

    • Workers who have tested positive are not required to test for 90 days after the date of the positive result and can instead present proof of recent infection.
    • Any employee who develops symptoms in the 90-day period after a positive test should seek testing. If positive, the individual must isolate. See our map of testing sites. If unable to find a test, the employee should assume that they are positive and isolate. Read the CDC's guidance on quarantine and isolation.
    • If the employer chooses to allow employees to use a rapid-antigen/at-home test, PDPH recommends that test should be performed on-site prior to a shift so the employer can verify the employee's result. The employer should keep a record of the employees' positive tests to avoid any discrepancies in their records in the event of an audit by the Health Department. (See Record Keeping below.)

3. Virtual accommodation: If possible, the Healthcare Institution can create a fully virtual option for the individual.

Masking
All healthcare institutions must continue to enforce masking for all, including KN-95s, N-95s, or double masking including a surgical mask worn correctly under a cloth mask. Unvaccinated individuals must double mask or wear an N-95 or similar respirator while working.

a. Masking is not required for healthcare workers or healthcare institution workers when present in areas or settings that do not provide patient-facing when when masking is *"Optional but Recommended* but must resume as previously required when masking is *"Strongly Recommended* .

b. All Healthcare workers and healthcare institution workers must continue masking in patient facing and healthcare related services settings.

Record Keeping

The institution must maintain vaccination records and testing results. Any vaccination, exemption or testing records must be made available to the Department of Public Health upon request. Vaccination records must include the following information: numbers of fully, partially, unvaccinated and vaccination status unknown staff/contractors; numbers of staff/contractors with medical or religious exemptions; refused exemption requests; and numbers and percentages of turnover due to vaccination mandates, if known.

Contracting agencies are responsible for reporting vaccination status of their covered workers to the Healthcare Institution and must maintain all records relating to vaccination status. Please note, this information must not include any confidential information such as names, dates of birth, social security numbers, or employee identification numbers.

If the employer is performing the testing, positive results need to be reported to PDPH within 24 hours of result. Results can be reported directly via a REDCap Database or by exporting a standardized file from an EHR or other data collection system and sending via a secure File Transfer Protocol (sFTP). Please contact COVID.EPI@phila.gov to obtain further instructions on reporting via the sFTP.

If the employer is not performing the testing, they do not need to report the results to PDPH. The results will be reported directly to PDPH by the lab or provider. The employer should keep a record of these results and make them available to PDPH upon request. If the employee is doing an at home over-the-counter test, COVID test results should be reported by the employee to their employer within 24 hours of result to.