

Home Care Developments

Poricanin
Practical Counsel. Industry Insight.

New York DOH Posts FAQs Regarding the Healthcare Worker Vaccination Mandate

Today, the Department of Health (“DOH”) posted a FAQ guidance document concerning the healthcare worker vaccination mandate. The FAQs are available [here](#).

In relevant part, the FAQs reaffirm that fiscal intermediaries and personal assistants are not covered by the vaccination mandate.

Insofar as office staff are concerned, the FAQs state that "personnel may include members of the workforce who have no direct patient or resident contact if the personnel engage in activities such that if they were infected with COVID-19, they could potentially expose other covered personnel." Unhelpfully, the DOH further states that it will be up to the individual providers to identify which of their office staff are covered by the vaccination mandate, in view of their definition and FAQ guidance.

As we have discussed in a webinar, the FAQs reaffirm that employees who receive an exemption from the vaccination requirements are not required to undergo weekly COVID-19 testing. Similarly, the DOH’s FAQ confirms that antibodies and evidence of a prior COVID-19 infection will not be acceptable in lieu of vaccination.

The DOH has stated that covered personnel may utilize [this form](#) and [this one](#) to request an exemption on the basis of medical reasons.

Insofar as vaccines received in other countries, the FAQ notes that “only people who have received a complete series of a COVID-19 vaccine that is either approved or authorized for emergency use by the U.S. Food and Drug Administration (FDA) or the World Health Organization (WHO) are considered to be ‘fully vaccinated.’” Thus, the FAQ concludes, “People who received a COVID-19 vaccine that has neither been authorized by the FDA or the WHO are not fully vaccinated and will, thus, need to comply with this vaccination mandate.”

The FAQ does not address religious exemptions, or the ongoing litigation regarding the validity of the State’s vaccination mandate. Notably, Governor Hochul has, over the last few days, vowed to fight and protect the mandate in courts.

If you have any questions about these developments, please do not hesitate

to reach out.



Visit our Website

STAY IN TOUCH

emina@poricaninlaw.com

315.269.1125

518.676.0192



Poricanin

Practical Counsel. Industry Insight.

Poricanin | 90 State Street, Suite 700, Albany, NY 12207

[Unsubscribe emina@poricaninlaw.com](mailto:emina@poricaninlaw.com)

[Update Profile](#) | [About Constant Contact](#)

Sent by emina@poricaninlaw.com in collaboration
with



Try email marketing for free today!