

BASIS STATEMENT

Rules Governing the Immunization Requirements for Healthcare Workers

These emergency rules would require all designated healthcare facilities to offer the vaccine for the 2009 Novel H1N1 Influenza. These rules would be effective for 90 days, from October 6, 2009 through January 4, 2010. Regular rulemaking will be initiated simultaneous with the promulgation of these emergency rules.

STATUTORY AUTHORITY

22 M.R.S.A. §802 as amended by PL 2001, Ch 185

STATEMENT OF EMERGENCY

The Department finds it necessary to adopt these rules on an emergency basis in order to avoid an immediate threat to public health, safety, and general welfare as a result of 2009 Novel H1N1 Influenza. A Level 6 declaration of a pandemic has been made by the World Health Organization, a public health emergency declaration was made by the US HHS Secretary Sebelius dated June 15, 2009 and on September 1, 2009, Governor Baldacci signed a Proclamation of Civil Emergency Due to a Highly Infectious Agent. In order to prevent the transmission of either seasonal influenza or 2009 Novel H1N1 Influenza in healthcare settings, the Department is requiring that all designated healthcare facilities adopt policies which recommend all direct care workers be vaccinated for seasonal influenza and 2009 Novel H1N1 influenza. Such facilities are required by this rule to report on a periodic basis to the Department regarding the number of employees who were offered the 2009 Novel H1N1 Influenza vaccine and the number of employees who were vaccinated for the influenza.

EFFECTIVE DATE

October 6, 2009 through January 4, 2010