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Date: June 3, 2021

To: Hospitals, Ambulatory Surgical Centers, Nursing Facilities, Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs), and Adult Assisted Housing Providers

From: Maine Department of Health and Human Services (DHHS)

Re: Reporting of staff COVID-19 vaccination rates

### **Background**

Recent data show that the overwhelming majority of hospital inpatient admissions of COVID-19 positive individuals are among those who were either not vaccinated or had not completed the vaccination series to achieve full vaccination status. Having a fully vaccinated healthcare workforce is essential to ensuring our healthcare facilities are able to function fully, maintain patient or resident safety, and meet the needs of Maine people.

### **Purpose**

The purpose of this memorandum is to clarify the applicability of recent facility reporting requirements regarding staff COVID-19 vaccination rates. On May 11, the Centers for Medicare and Medicaid Services (CMS) released "[Medicare and Medicaid Programs; COVID-19 Vaccine Requirements for Long-Term Care \(LTC\) Facilities and Intermediate Care Facilities for Individuals with Intellectual Disabilities \(ICFs-IID\) Residents, Clients, and Staff.](#)" This new interim final rule applies to Medicare and Medicaid Long Term Care (LTC) and Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs-IID). This interim final rule requires facilities to report the COVID-19 vaccination status of all residents and staff into the Centers for Disease Control and Prevention's (CDC) National Healthcare Safety Network (NHSN).

In order to continue to monitor the ability of the healthcare infrastructure to respond to the ongoing pandemic, and consistent with its authority under 22 M.R.S. § 822(2), DHHS is requiring that the healthcare facilities designated below report staff COVID-19 vaccination data to the Department on a monthly basis.

### **Staff vaccination reporting**

Effective June 14, 2021, consistent with the effective date of the CMS interim final rule, the following licensed facilities shall report to DHHS the total number of staff employed, and the total number of staff fully vaccinated against COVID-19. Each facility should report this information for the last day of the previous month by June 14, 2021 (for May 31, 2021) and subsequently by the 5th day of each month thereafter via an electronic form specified below:

1. Hospitals and Critical Access Hospitals (including all outpatient facilities providing care and services under a hospital's license).
2. Ambulatory Surgical Centers
3. Nursing Homes
4. Assisted Housing facilities that are currently required to comply with the Group A Community Engagement testing and visitation guidelines:
  - a. Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID).
  - b. Facilities designated as Alzheimer's/ Dementia Care
  - c. PNMI/Residential Care Facilities/Assisted Living Facilities that are part of Multi-Level Complexes with Nursing Facilities
  - d. PNMI Appendix C Facilities (for Adults with High Functional/Medical Needs)

This is the same list of long-term care providers required to conduct surveillance testing for COVID-19 as described in our May 5, 2021 memo titled "Revised Guidance for Staff Testing and Community Engagement," for the same reasons as described in this memorandum.

Facility "staff" for vaccination reporting clarification includes all facility employees, all temporary or contracted personnel, all volunteers and students who are providing care, services, and interacting with facility residents and staff. This is the same definition used by CMS in QSO-20-38 Interim Final Rule (IFC), CMS-3401-IFC, Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency related to Long-Term Care (LTC) Facility Testing Requirements. Each distinct facility should report this information for the last day of the month by June 14, 2021 and subsequently by the 5<sup>th</sup> day of each month.

Facilities should submit this information using this form:

[https://forms.office.com/Pages/ResponsePage.aspx?id=q6g\\_QX0gYkubzeoajy-GTseHDczroMNHqsaKj3vr645UMU9WNDBJVTc3UFdESExLR0U5MEZITzZSMY4u](https://forms.office.com/Pages/ResponsePage.aspx?id=q6g_QX0gYkubzeoajy-GTseHDczroMNHqsaKj3vr645UMU9WNDBJVTc3UFdESExLR0U5MEZITzZSMY4u).

This will be the same information that facilities subject to the CMS interim final rule submit to the NHSN.

This information will be used by DHHS as part of the overall monitoring of the current response to the pandemic and a searchable dashboard of the staff vaccination rates will be publicly posted on a Maine DHHS/CDC website.

If there are any additional questions or concerns, please reach out to Bill Montejo at the Division of Licensing & Certification for assistance in obtaining clarifications at [dlrs.info@maine.gov](mailto:dlrs.info@maine.gov).