



DEPARTMENT OF ADMINISTRATION Enterprise Policy

COVID-19 Vaccine Policy for Licensed Health Care Workers, Providers and Facilities

Effective September 3, 2021 Division of Human Resources

Purpose:

The purpose of this policy is to facilitate the protection of the health and safety of patients, clients, families, and employees who work in Rhode Island Department of Health (RIDOH) licensed state health care facilities, as well as those employees who hold licenses as health care providers through RIDOH, against the COVID-19 virus. As mandated by [216-RICR-20-15-8](#), all health care workers and health care providers as defined by [216-RICR-20-15-8](#) are required to be vaccinated by October 1, 2021 in order to enter a licensed state health care facility or provide services as a licensed health care provider. This policy provides information regarding requirements, to include procedures for testing of unvaccinated individuals leading up to October 1, 2021, as well as the procedures for compliance, penalties for non-compliance, and limited exceptions to the vaccine mandate.

State, Agency, and Employee Responsibilities:

1. The State will provide reasonable access to those individuals subject to this policy for the following:
 - a. COVID-19 vaccination clinics
 - b. COVID-19 testing
 - c. A procedure mask or higher-grade mask (e.g., KN95 or N95) as required by their position
2. Agencies will provide employees with a reasonable time available to receive a vaccination dose and, if applicable, reasonable time available to receive COVID-19 testing.
3. Employees will comply with the Regulations and this Policy.

Definitions:

1. "COVID-19" means the new disease caused by novel coronavirus SARS-CoV-2.
2. "COVID-19 vaccine" means any vaccine against COVID-19 that is authorized by the U.S. Food and Drug Administration, the World Health Organization, or otherwise approved by RIDOH (e.g., Novavax).
3. "Department" or "RIDOH" means the Rhode Island Department of Health.
4. "Health care facility" means a facility as defined in R.I. Gen. Laws § 23-17-2(8), as well as assisted living residences, as defined in R.I. Gen. Laws § 23-17.4.-2(4), and adult daycare programs, as defined in R.I. Gen. Laws § 23-1-52, and clinical laboratories, as defined in R.I. Gen. Laws § 23-16.2-2(2) notwithstanding the provisions of R.I. Gen. Laws § 23-17-2(8).
5. "Health care worker" means any person who is temporarily or permanently employed by or at, or who serves as a volunteer in, or has an employment contract with, a health care facility, and has or may have direct contact with a patient in that health care facility. This may include, but not be limited to, a physician, physician assistant, nurse, nursing assistant, therapist, technician, clinician, behavioral analyst, social worker, occupational, physical or speech therapist, phlebotomist, emergency medical service practitioner, dental personnel, pharmacist, laboratory personnel, autopsy personnel, students and trainees, contractual staff not employed by the health care facility; other health care providers, including those who have privileges at, but are not employed by, the health care facility; and persons (e.g., clerical, dietary, housekeeping, laundry, security, maintenance, administrative, billing, and volunteers) not directly involved in patient care but potentially exposed, in the course of employment, to infectious agents that can be transmitted from person to person. This term shall not apply to a patient's family member or friend who visits or otherwise assists in the care of that patient in a health care facility.
6. "Health care provider" means any person licensed by the Department to provide or otherwise lawfully provide health care services, including, but not limited to, a physician, hospital, dentist, nurse, optometrist, podiatrist, physical therapist, psychiatric social worker, pharmacist, emergency medical service practitioner, or psychologist, provided such person is either directly involved in patient care or potentially exposed to infectious agents that can be transmitted from person to person.
7. "Vaccinated" means a person has received all recommended dose(s) of a COVID-19 vaccine authorized by the U.S. Food and Drug Administration or World Health Organization or all recommended dose(s) of another COVID-19 vaccine approved by the Department (e.g., Novavax).

Applicability:

1. This policy applies to all health care workers and health care providers who work in a licensed health care facility and/or hold a health care provider license and as such are

subject to the rules and requirements of this policy. RIDOH-licensed health care facilities for the purposes of this policy have been identified as follows:

- a. Eleanor Slater Hospital, including the State's Zambarano facility
- b. Rhode Island Veterans Home
- c. State Health Laboratories

Individuals who work, intern, or volunteer in one of the RIDOH-licensed health care facilities listed above are required to follow those requirements as stipulated in the section titled "Mandatory Vaccine Program" and "Requirements before October 1, 2021."

2. Individuals who do not work in a RIDOH-licensed health care facility but hold a health care provider license are required to follow those requirements as stipulated in the section of this policy titled "Mandatory Vaccine Program."

Mandatory Vaccine Program:

1. No later than October 1, 2021, individuals who are subject to this policy as defined in the Applicability section above are required to be vaccinated against the COVID-19 virus in order to enter a RIDOH-licensed state health care facility and/or provide services as a licensed health care provider.
2. For individuals who are already vaccinated against COVID-19 in the State of Rhode Island, they must provide proof of said status in the form of a vaccination card by scanning and uploading a copy of their vaccination card to the designated confidential email address at the agency in which they work, or by providing a copy of the vaccination card to the designated individual at the agency in which they work.
3. Individuals who were vaccinated outside of the State of Rhode Island must complete the form at <http://health.ri.gov/forms/records/COVID-Immunization-Record-Correction-Request.pdf> as proof of vaccination and email the completed form to RIDOH.RICAIR@health.ri.gov no later than October 1, 2021. They must also provide proof of said status in the form of a vaccination card by scanning and uploading a copy of their vaccination card to the designated confidential email address at the agency in which they work, or by providing a copy of the vaccination card to the designated individual at the agency in which they work.
4. For individuals who are currently in the process of being vaccinated (i.e., have received one dose of a two-dose vaccine) as of the issuance of this policy but will have received all required doses as of October 1, 2021, the same proof requirements as outlined in #2 or #3 above apply. If they work in a licensed health care facility as defined in the Applicability section of this policy, they must follow the requirements in "Requirements before October 1, 2021."
5. If an individual is currently in the process of being vaccinated (i.e., have received one dose of a two-dose vaccine) as of the issuance of this policy, but **will not have received** all required doses as of October 1, 2021 **and** they work at a RIDOH-licensed health care facility as defined in the Applicability section of this policy, they must follow the requirements in "Requirements before October 1, 2021." As of October 1, 2021, they will not be able to enter a RIDOH-licensed state facility or provide health care services as per

[216-RICR-20-15-8](#), but they may choose to use any of their accrued time including sick time, or they may choose to be placed on leave without pay. They must follow the manufacturer recommended timeframe between doses for the vaccine type they are receiving and notify the designated individual at their agency of the date they are scheduled to receive their second dose, if they are receiving a multi-dose vaccine. Once they are vaccinated, they must provide proof of said status in the form of a vaccination card by scanning and uploading a copy of their vaccination card to the designated confidential email address at the agency in which they work, or providing a copy of the vaccination card to the designated individual at the agency in which they work, within 24 hours of receiving their final dose or on the first business day following their final dose, whichever comes first.

6. If an individual has not yet initiated the vaccination process, they must do so in order to ensure they are vaccinated by October 1, 2021.
7. If an individual who receives a vaccination dose, on or after the date of this policy, has a short-term adverse reaction following the administration of the vaccine, they must inform their supervisor that they cannot report to work and the individual will be authorized to remain out of work, for a period of up to three (3) days under paid administrative leave provided that the individual submits proper medical documentation to the Division of Human Resources Disability Management Unit (DMU).
8. If an individual who receives a vaccination dose on or after the effective date of this policy has an adverse reaction for more than three (3) days, the individual may file a claim for workers' compensation benefits.
9. If an individual is not vaccinated as of October 1, 2021, they cannot enter a RIDOH-licensed state facility and/or provide services as a licensed health care provider. They will be placed on leave without pay for a maximum period of seventy-five (75) calendar days beginning on October 1, 2021 to provide them the time necessary to become vaccinated. If by December 15, 2021, the individual is unable to provide proof of vaccination status, they will be subject to progressive discipline, up to and including termination for failing to meet legally mandated conditions of employment. Any termination requires the approval of the Director of Administration.
10. If an individual believes they have been mis-identified as not being vaccinated, they must follow the "Requirements before October 1, 2021" section of this policy until proof of vaccination has been provided. They must provide proof of vaccination status by scanning and uploading a copy of the vaccination card to the designated confidential email address at the agency in which they work, or providing a copy of their vaccination card to the designated individual at the agency in which they work and contact RIDOH to ensure their vaccination status is accurately reflected in the Rhode Island Child and Adult Immunization Registry.

Requirements before October 1, 2021:

1. If an individual is not vaccinated as of the issuance of this Policy and they work in a RIDOH-licensed health care facility, they are required to be tested at least two (2) times per week* for COVID-19 via any COVID-19 test authorized by the FDA and will be required to wear a mask as stipulated in the "Mask Requirements" of this Policy. Note that the requirements of

this section do not apply to licensed health care providers that do not work in a licensed health care facility.

2. A testing clinic will be available on site for individuals who work at a RIDOH-licensed health care facility, and must show proof of their negative test before they can begin their assigned shift.
3. If the test result is positive, the individual must leave the testing site immediately and follow the procedures in the State's [COVID-19 Policy](#) for employees who are potentially exposed to and/or contracted COVID-19, including following isolation requirements
4. If the individual refuses to take a twice weekly COVID-19 test, they will be sent home on leave without pay for the remainder of the day (first occurrence) for failing to comply with a legally mandated condition of employment. They will be expected to report to work at their next scheduled shift and obtain a test before the start of their shift. If they refuse a test on this day as well, they will be sent home on leave without pay for the remainder of the day (second occurrence). They will be expected to report to work at their next scheduled shift and obtain a test before the start of their shift (third occurrence). If they refuse a test on this third day, it will result in further appropriate disciplinary action up to and including termination for failing to meet legally mandated conditions of employment. Any termination requires the approval of the Director of Administration.
5. As of October 1, 2021, all individuals entering a RIDOH-licensed state facility will be required to be vaccinated in accordance with [216-RICR-20-15-8](#), unless the individual has received a medical exception as detailed in the "Request for Medical Exemption" of this policy. Testing for these medically exempt individuals will continue throughout the duration of the applicability of this Policy.
6. The State reserves the right to test individuals entering a RIDOH-licensed state facility based on community transmission rates and based on individual facility situations following October 1, 2021 at a frequency to be determined based on RIDOH and CDC recommendations.

*Note: If an employee is absent for more than two days in a seven-day period, they will only be required to be tested once that week. If they are absent for the entirety of a work week, they will not be required to be tested during that week. But in either situation, they must be tested on the first day they return to work.

Mask Requirements:

1. Until October 1, 2021, all health care providers who are not otherwise categorized as health care workers and who are not vaccinated shall be required to wear a procedure mask or higher-grade mask (e.g., KN95 or N95) in the course of their employment.
2. On and after October 1, 2021, masking requirements for all health care providers who are not otherwise categorized as health care workers must continue to wear a mask, but they may wear a mask as referenced in the [COVID-19 Policy](#) unless otherwise directed by their agency and unless they enter a licensed health care facility in the course of their

employment.

Request for a Medical Exemption:

1. If an individual has a medical condition which prevents them from being able to receive the COVID-19 vaccine, they must provide a [medical exemption form](#) provided by a licensed physician, physician assistant, or advanced practice registered nurse which states that the health care worker or health care provider is exempt from the COVID-19 vaccine because of medical reasons, in accordance with Advisory Committee on Immunization Practices (ACIP) guidelines and determined as acceptable by the facility.
2. This Form must be provided to the Human Resources Disability Management Unit (DMU) no later than September 15, 2021 for review and verification.
3. If the medical exemption is verified and approved, the individual will be provided notice of approval in the form of a letter. A copy of this approval notice will be provided to their supervisor as well.
4. The individual with an approved medical exemption must continue with twice weekly testing throughout the duration of the applicability of this Policy.
5. If the medical exemption request is determined by DMU to not be medically necessary, the individual will be required by be vaccinated as stipulated in the “Mandatory Vaccine Program” section of this Policy.

Other

If you have any questions regarding a religious exemption or this policy in general, please call DOA Human Resources at 401-222-2160 or send an email to doa.hrcontact@hr.ri.gov.

Director of Administration



Signature

9/7/2021

Date