

Federal vaccine mandate updates

In September, President Biden [announced vaccine requirements](#) for healthcare workers, federal contractors, and employees of companies with 100 or more employees. These joined the requirements for federal employees, including military personnel, put in place in July.

The requirement for healthcare workers to be vaccinated is being managed by CMS which issued an interim final rule that was in effect as of November 5. Through this Condition of Participation (COP), all eligible workers in healthcare settings that participate in the Medicare and Medicaid program must be fully vaccinated by January 4, 2022. The requirement is for all healthcare workers and volunteers, regardless of their location of work. The narrow exception is for those who work 100% remotely and have no physical contact with patients or other staff.

CMS stated that this rule supersedes any state law. In addition, this requirement also takes priority over other vaccine requirements, including the ones for federal contractors or based on the number of employees, to eliminate any contradictions. For more information on the rule, including exemptions, please review this [AHA Special Bulletin](#) or register for the CMS call on November 10 (below).

In addition to the CMS requirements, the administration also released an emergency temporary standard (ETS) through OSHA that [establishes the vaccine requirements for businesses](#) with 100 or more employees. However, the Fifth Circuit Court of Appeals granted an emergency stay of the OSHA requirement over the weekend. Twenty-seven states, including Idaho, [have filed suit](#) challenging the mandate. While it's unclear that a similar basis would exist to challenge the CMS mandate, there remains significant uncertainty with how the federal courts, including the Supreme Court, will handle challenges to these mandates.

Governor Little announced that he has also [joined a multi-state lawsuit](#) challenging the Biden Administration's order that federal contractors must be vaccinated. The Idaho State Board of Education is also a part to the lawsuit on behalf of Idaho universities who could lose up to \$89 million in federal contracts, much of which involved important research.

The executive orders, vaccine requirements, and lawsuits are the backdrop to the Idaho Legislature's plan to reconvene next week. In an uncertain environment that includes multiple federal agencies, lawsuits, stays, and a potential Supreme Court decision, the challenge will be for legislators to find consensus around a legislative proposal that effectively addresses so many moving parts.

Resources & Information

[Cases decline but still having devastating impacts](#)

During today's media briefing, IDHW officials reported on the continuing downward trends for testing positivity (now 10.3%), [hospitalizations](#), and cases. Despite these positive advancements, Idaho remains in Crisis Standards of Care and has a testing positivity rate more than twice the desired level of 5%.

Officials also announced that Idaho reached a very sad milestone with the [first death of a child](#) due to COVID. The infant resided in one of the Southwest District Health counties. Our hope is that more Idahoans will talk with their providers about vaccinations which are available to everyone five years and older. Making the choice to be vaccinated is the best way to assure that no more families have to experience the loss of a child or loved one.

Reimbursement & Policy

[Reporting deadline for federal funds nears](#)

For those who received federal Provider Relief Funds (PRFs), the reporting period for funds received from April 10 through June 30, 2020 was extended until November 30, 2021. HRSA added the 60-day grace period to the reporting deadline due to the recent surge. All reporting for this period is due by the end of November and unused funds must be returned by December 30. For additional information on PRF reporting, visit the [HRSA website](#).



Please feel free to share the video above. It's the latest in a series of vaccine confidence PSAs featuring Idahoans.

Virtual Meetings & Education

[Webinar ~ Healthcare Worker Federal Vaccine Requirement](#)

CMS will provide information on the interim final rule that requires full vaccination for healthcare workers by January 4.

Omnibus Vaccine Rule Stakeholder Call
November 10 ~ 1:30p MTN / 12:30p PAC

[Register](#)

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