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## **NOTICE: COVID-19 Vaccine Requirement for PCAs**

September 2021

Dear MassHealth PCA,

On September 1<sup>st</sup>, 2021, the Baker-Polito Administration announced a vaccine requirement for all rest homes, assisted living residences (ALRs), hospice programs, and to home care agency workers providing in-home, direct care services under a state contract or state program as part of a continued effort to protect older adults and more vulnerable populations against COVID-19. On September 8, 2021, the Massachusetts Department of Public Health promulgated 105 CMR 159.000, *COVID-19 Vaccinations for Certain Staff Providing Home Care Services in Massachusetts*, a new regulation that requires certain home care workers to receive the COVID-19 vaccine.

As a result, **all PCAs working in the MassHealth PCA Program are required to complete the full regimen of COVID-19 vaccine doses by October 31, 2021**, except for those PCAs who qualify for a limited exemption because:

1. The vaccine is medically contraindicated, meaning that administration of a COVID-19 vaccine to that individual would likely be detrimental to the individual's health, and the individual can provide documentation demonstrating their need for this exemption, and the individual is able to perform their essential job functions with a reasonable accommodation that is not an undue burden on the consumer employer, to avoid risk of contracting/transmitting COVID-19 on the job; or
2. The individual objects to vaccination on the basis of a sincerely held religious belief and the individual is able to perform their essential job functions with a reasonable accommodation that is not an undue burden on the consumer-employer, to avoid risk of contracting/transmitting COVID-19 on the job.

Please continue reading to learn more information about the vaccine requirement and what this means for you as a PCA working in the MassHealth PCA program.

*Please continue reading on reverse side →*



## **When is the deadline for me to get a COVID-19 vaccine?**

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All PCAs are required to complete the full required regimen of COVID-19 vaccine doses, or document that they qualify for an exemption by October 31, 2021. Completing the full required regimen of COVID-19 vaccine doses means:

- Two doses of the Pfizer-BioNTech COVID-19 vaccine; or
- Two doses of the Moderna COVID-19 vaccine; or
- One dose of the Johnson & Johnson COVID-19 vaccine.

## **Does the vaccine requirement change my Consumer-employer's rights and responsibilities?**

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No, this vaccine requirement does not change your Consumer's rights and responsibilities as your employer. **It is your PCA Consumer-employer's choice whether to hire, terminate, or decline services from their PCA(s) based on each employee's individual vaccination status.**

## **Can my Consumer-employer ask me about my vaccination status?**

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Yes. In order to make the best decisions about their safety and personal care, your Consumer-employer may ask you to verify your vaccination status and/or whether you qualify for an exemption. As the employer, your Consumers can require you to complete the attached COVID-19 Vaccine Attestation Form, which has important information about the COVID-19 vaccine and your vaccination status. For information regarding the vaccine requirement, please go to: <https://www.mass.gov/info-details/massachusetts-law-about-vaccination-immunization>.

## **Can my Consumer-employer ask for a copy of my vaccine card or medical information?**

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Your Consumer-employer may ask to *look at* your vaccine card or an applicable doctor's letter explaining why you cannot receive a vaccine. It is strongly recommended that Consumer-employers NOT keep copies of this information on file, but if a Consumer-employer chooses to do so, the Consumer-employer should ensure that any such documents are maintained in compliance with any applicable laws.

If your Consumer-employer wishes to keep a record of your vaccination status, they may have you complete the attached COVID-19 Vaccine Verification Form after viewing your verification documents.

## **What will happen if I refuse to get a vaccine?**

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COVID-19 vaccination is the most effective method for preventing infection and serious illness from the virus. As your employer, it is your Consumer's decision whether to hire, schedule, or terminate someone who has not received a vaccine. Under federal employment law, your Consumer-employer has a legal right to require you to receive a COVID-19 vaccine.

The Massachusetts Executive Office of Health and Human Services (EOHHS) does not plan to monitor PCAs' COVID-19 vaccination statuses. Consumer-employers are responsible for monitoring their own employees' vaccination statuses.