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**NOTICE: COVID-19 Vaccine Requirement for  
Consumer Directed Care (CDC) workers**

January 2022

Dear CDC Worker,

As a Consumer Directed Care (CDC) worker in a self-directed program, you are employed by a CDC consumer. On September 1, 2021, the Baker-Polito Administration announced a vaccine requirement for all staff at rest homes, assisted living residences (ALRs), hospice programs, and for home care 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.

All home care workers employed in the Consumer Directed Care Program funded by the Executive Office of Elder Affairs Home Care program were required to complete the full regimen of COVID-19 vaccine doses by October 31, 2021. In addition, all eligible CDC workers must receive an additional dose or booster vaccination by February 28, 2022.

Pursuant to an Order of the Commissioner of Massachusetts Department of Public Health ([DPH Order 2022-01](#)), issued on January 6, 2022, all eligible CDC workers must receive a COVID-19 additional dose or booster vaccination by February 28, 2022 or as soon as possible after becoming eligible, and no later than three weeks from the date eligible.

Eligible CDC workers are those who completed their primary COVID-19 vaccination series:

- at least five (5) months prior to the additional dose or booster vaccination if they received Pfizer or Moderna, or
- at least two (2) months prior for Johnson & Johnson/Janssen, or
- at such other time period as recommended by the Centers for Disease Control.



CDC workers who become eligible to receive a COVID-19 additional dose or booster vaccination on or after February 28, 2022, must receive the additional dose or booster vaccination as soon as possible after becoming eligible and no later than three weeks after they become eligible. All new CDC workers must receive the additional dose or booster vaccination as soon as possible after becoming eligible and no later than three weeks after their hire date. This requirement does not apply to CDC workers who qualify for a limited exemption. CDC workers may be exempt from the full required regimen of vaccine doses and the additional doses or booster vaccination if the following applies:

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 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 employer, to avoid risk of contracting/transmitting COVID-19 on the job.

Any CDC worker who qualifies for an exemption based on medical contraindication or a sincerely held religious belief is exempt from the requirement to receive a COVID-19 additional dose or booster vaccination.

Please continue reading to learn more information about the vaccine requirement and what this means for you as a CDC working in the Consumer Directed Care program.

### **When is the deadline for me to complete all COVID-19 vaccine requirements??**

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All CDC workers were required to complete the full required regimen of COVID-19 vaccine doses, or document that they qualify for an exemption by October 31, 2021. For example, 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 Janssen COVID-19 vaccine.

All eligible CDC workers who are required to complete the full required regimen of COVID-19 vaccine doses must receive a booster by February 28, 2022, or as soon as possible after becoming eligible, and no later than three weeks after they become eligible.

*Please continue reading on reverse side →*

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

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

Please see the regulation, 105 CMR 159.000, [COVID-19 Vaccinations for Certain Staff Providing Home Care Services in Massachusetts](#), and [DPH Order 2022-01](#).

## **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, as the consumer-employer, they may ask you to verify your vaccination or booster status and/or whether you qualify for an exemption. 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 COVID-19 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 do 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.

## **What happens if I refuse to get a COVID-19 vaccine or booster?**

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COVID-19 vaccination, including a booster dose, is the most effective method for preventing infection and serious illness from the virus. Your Consumer-employer can make the decision whether to hire, schedule, or terminate someone who has not received the full vaccine regimen or additional dose/booster. Under federal employment law, the Consumer-employer has a legal right to require their employee(s) to receive the full regimen of a COVID-19 vaccine.

Consumer-employers are responsible for monitoring their employees' vaccination statuses.