The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Health Care Safety and Quality

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TO: Adult Day Health Program Administrators

FROM: Elizabeth Daake Kelley, MBA, MPH

Director, Bureau of Health Care Safety and Quality

DATE: November 6, 2020

RE: Guidance Regarding Seasonal Influenza Vaccination of Healthcare Personnel at Massachusetts Adult Day Health Programs for the 2020-2021 Influenza Season

On October 6, 2020, the Commissioner of the Department of Public Health (DPH) issued a public health order (the Order) requiring all licensed Adult Day Health Programs to ensure that all personnel are vaccinated against influenza virus by December 31, 2020, unless such administration is medically contraindicated, which means administration of influenza vaccine is likely to be detrimental to the individual’s health, or vaccination is against the individual’s religious beliefs. Personnel may not otherwise decline the vaccine.

As a condition of licensure, under 105 CMR 158.030(L), DPH regulations require all licensed healthcare facilities to:

* Offer, free-of-charge, annual influenza vaccine to all personnel;
* Document receipt of influenza vaccine administered within and outside the facility or document the declination of immunization; and
* Report information to DPH, documenting compliance with the vaccination requirement, in accordance with these reporting and data collection guidelines.
  + Facilities may not report unknown vaccine status.

The purpose of this memorandum is to inform Massachusetts Adult Day Health Programs of the process to report mandatory personnel influenza data and to provide guidance for facilities to fulfill the requirement for submission of annual personnel influenza data to DPH in compliance with both the regulation and the Order.

To demonstrate compliance, Adult Day Health Programs must meet the reporting requirements described below and must comply with any requests for documentation. Failure to comply with the requirements of the Order or failure to cooperate with any document requests with respect to the Order may result in penalties.

The Order defines personnel as an individual or individuals employed by or affiliated with the Adult Day Health Program, whether directly, by contract with another entity, or as an independent contractor, paid or unpaid including, but not limited to, employees, members of the medical staff, contract employees or staff, students, and volunteers who either work at or come to the licensed facility site, whether or not such individual(s) provide direct care.

Personnel requiring the influenza vaccination includes, but is not limited to, physicians; nurses; interns/residents; fellows; physician assistants; physical, occupational, respiratory and speech therapists; laboratory technicians; central supply staff; pharmacists; maintenance/environmental services staff; dietary staff; attendants/orderlies, secretarial and administrative staff; contract staff, whether or not such individuals provide direct patient care.

A key component of successful immunization programs includes senior leadership commitment and accountability for outcomes. Please see the References and Resources List aimed at assisting Adult Day Health Programs to develop influenza campaigns and identify best practices for improving personnel vaccination rates.

The Order requires all Adult Day Health Programs to provide DPH with their first data submission no later than January 15, 2021, documenting that each member of its personnel has either received the influenza vaccine by December 31, 2020 or declined based upon a permissible exemption. Following that first submission, all Adult Day Health Programs must provide updated data for each month, no later than the 15th of the following month, ending with a final submission on April 15, 2021.

Please see Data Submission Instructions for detailed instructions on how to successfully complete and submit HCP Influenza Vaccination data for the 2020-2021 season. **The deadline for first data submission is January 15, 2021 at 5:00 pm. To access the online survey, please log into the Virtual Gateway’s Health Care Facility Reporting System (HCFRS) and create a new case. Once the case is open, under the incident type select “HCP influenza reporting” and complete the fields in the module. [link here]**

This guidance serves as notice that notice that if an Adult Day Health Program fails to comply with the Order, including the reporting requirements set forth in this or subsequent guidance, it will be subject to licensure action, as set out in 105 CMR 145.000, including but not limited to limitations on enrollment.

An Adult Day Health Program that is not in compliance with the Order on December 31, 2020 will have the period from January 1, 2021 until the January 15, 2021 reporting date as its opportunity to remedy its noncompliance. A program may update its data submission at any time, as additional staff receive influenza vaccination.

**Subsequent Data Submissions**

Each Adult Day Health Program must submit influenza vaccination data each ensuing month until April 15, 2021. The data submission is due on the 15th of each month.

To facilitate timely, accurate and complete reporting of the personnel influenza vaccination measure, please ensure that this memorandum is forwarded to all persons in your healthcare facility responsible for infection prevention, employee health, and quality management reporting including but not limited to: Infection Preventionists, Occupational Health Professionals, Nursing and Medical Directors, Directors of Quality Improvement, and Directors of Human Resources.

Annual vaccination is the most important measure to prevent seasonal influenza infection.[[1]](#footnote-1) Protecting healthcare personnel and preventing the transmission of influenza to patients and communities is a shared responsibility. DPH is dedicated to working with you to ensure that patients and personnel are protected. Thank you for your ongoing participation in this important initiative. Please submit questions concerning the reporting and data submission requirements to the Bureau of Health Care Safety and Quality at [dhcq.fludata@state.ma.us](mailto:dhcq.fludata@state.ma.us).

**Reporting Healthcare Personnel (HCP) Influenza Data for the 2020-2021 Influenza Season**

**Data Submission Instructions**

* DPH requires all Massachusetts Adult Day Health Programs to report HCP influenza data through HCFRS.
* Only reports submitted through HCFRS will be accepted.
* Each licensed Adult Day Health Program is required to report the following no later than January 15, 2021:
  + Number of healthcare facility personnel who worked in the healthcare facility for at least 1 day between October 1, 2020 and December 31, 2020
  + Number of healthcare facility personnel who work at the healthcare facility as of December 31, 2020
  + Number of healthcare facility personnel who received an influenza vaccine at the healthcare facility since the influenza vaccine became available this season
  + Number of healthcare facility personnel who provided a written report or documentation of influenza vaccination outside the healthcare facility since influenza vaccine became available this season
  + Number of healthcare facility personnel who have a medical contraindication to the influenza vaccine
  + Number of healthcare facility personnel who report a religious exemption to the influenza vaccine.

* Each licensed Adult Day Health Program is required to report the following monthly, no later than February 15, March 15 and April 15, 2021:
  + Number of healthcare facility personnel who worked in the healthcare facility for at least 1 day between January 1, 2021 and last day of the previous month
  + Number of new healthcare facility personnel since the previous report and the number of days between start and confirmation of vaccination or exemption
  + Number of healthcare facility personnel who received an influenza vaccine at the healthcare facility since the influenza vaccine became available this season, total and specifying the number of new personnel
  + Number of healthcare facility personnel who provided a written report or documentation of influenza vaccination outside the healthcare facility since influenza vaccine became available this season, total and specifying the number of new personnel
  + Number of healthcare facility personnel who have a medical contraindication to the influenza vaccine, total and specifying the number of new personnel
  + Number of healthcare facility personnel who report a religious exemption to the influenza vaccine, total and specifying the number of new personnel
* Programs may update their data by entering it in HCFRS at any time as additional personnel are vaccinated. Programs will be held responsible for the data as reported until the program submits new data.

**To assist programs in documenting, monitoring and tracking HCP influenza data throughout the flu season, DPH has developed a Facility Flu Tracking Tool**

* **To assist facilities in documenting, monitoring and tracking HCP influenza data throughout the flu season, DPH has developed a Facility Flu Tracking Tool available at the following link:** [**https://www.mass.gov/info-details/flu-vaccination-reporting-requirements-for-health-care-personnel**](https://www.mass.gov/info-details/flu-vaccination-reporting-requirements-for-health-care-personnel)**.**

1. <http://www.cdc.gov/flu/professionals/infectioncontrol/healthcaresettings.htm> [↑](#footnote-ref-1)