The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Health Care Safety and Quality

67 Forest Street

Marlborough, MA 01752



CHARLES D. BAKER

Governor

KARYN E. POLITO

Lieutenant Governor

MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

**Tel: 617-624-6000**

**www.mass.gov/dph**

TO: Outpatient Dialysis Facility 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 Out-of-Hospital Dialysis Units for the 2020-2021 Influenza Season

On October 6, 2020, the Department of Public Health (DPH) issued a public health order (the Order) requiring all licensed Out-of-Hospital Dialysis Units 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[[1]](#footnote-1), 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 unknown vaccine status.

The purpose of this memorandum is to inform Massachusetts Out-of-Hospital Dialysis Units 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, Out-of-Hospital Dialysis Units 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 Out-of-Hospital Dialysis Units, 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. This definition includes any personnel who work at least one day at the Out-of-Hospital Dialysis Units between October 1, 2020 and March 31, 2021.

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 Out-of-Hospital Dialysis Units to develop influenza campaigns and identify best practices for improving personnel vaccination rates.

The Order requires all Out-of-Hospital Dialysis Units 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 Out-of-Hospital Dialysis Units 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 data submission is January 15, 2021 at 5:00 pm.**  To access the online reporting template please use the CDC’s National Health Surveillance Network (NHSN).

Facility-specific operational guidance documents regarding HCP influenza vaccination summary data reporting are located at: <http://www.cdc.gov/nhsn/cms/index.html>

NHSN training materials are located at: <http://www.cdc.gov/nhsn/training/index.html>​

Please note that while the Centers for Medicare & Medicaid Services (CMS) End Stage Renal Disease (ESRD) Program no longer requires submission of HCP influenza vaccination summary data through NHSN, reporting on these data is required to meet DPH annual reporting requirements and the Order.

This guidance serves as notice that if an Out-of-Hospital Dialysis Unit fails to comply with the Order, including the reporting requirements set forth in this or subsequent guidance, it will be subjected to licensure action, as set out in 105 CMR 145.000 and 105 CMR 140.000.

An Out-of-Hospital Dialysis Unit 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 facility may update its data submission at any time, as additional staff receive influenza vaccination.

**Subsequent Data Submissions**

Each Out-of-Hospital Dialysis Unit 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.[[2]](#footnote-2) 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 Out-of-Hospital Dialysis Units to report HCP influenza data through The CDC’s National Health Surveillance Network (NHSN)
* Only reports submitted through NHSN will be accepted.
* Each licensed Out-of-Hospital Dialysis Unit 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 Out-of-Hospital Dialysis Unit 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
* Any personnel who decline for religious reasons should be reported in the “declination” category. Any personnel who decline because the vaccine is medically contraindicated should be reported in the “medical declination” category. No other reason for declination should be reported in either line.
* If the Out-of-Hospital Dialysis Unit reports any HCP vaccinated in the “Unknown” category DPH will interpret these personnel as unvaccinated.
* Programs may update their data by entering it in NHSN 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. Note that the requirements under 105 CMR 140.150 apply to dialysis centers licensed under 105 CMR 145.000 pursuant to 105 CMR 145.900. [↑](#footnote-ref-1)
2. <http://www.cdc.gov/flu/professionals/infectioncontrol/healthcaresettings.htm> [↑](#footnote-ref-2)