



MassHealth
Hospice Bulletin 22
September 2021

TO: Hospice Providers Participating in MassHealth

FROM: Amanda Cassel Kraft, Acting Assistant Secretary for MassHealth

RE: Expanded Vaccine Requirement to Include Hospice Programs

Introduction

On September 1, 2021, the Baker-Polito Administration announced a vaccine requirement for all rest homes, assisted living residences (ALRs), hospice programs, and 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 (DPH) promulgated amendments to 105 CMR 141.000: *Licensure of Hospice Programs* requiring all hospice personnel who work in an inpatient facility or provide direct care in any setting to receive the COVID-19 vaccine. On September 24, 2021, DPH issued guidance to hospice programs regarding the COVID-19 personnel vaccination requirement, available at <https://www.mass.gov/doc/covid-19-personnel-vaccination-requirement-for-hospice-programs/download>.

To implement this requirement for hospice programs, all personnel defined above **must complete the full required regimen of COVID-19 vaccination doses, or document that they qualify for exemption, by October 31, 2021.**

Exemptions

Consistent with other state COVID-19 vaccination requirements, an individual will not be required to get the vaccine based on qualifying exemptions.

- If 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 Hospice program; or
- If the individual objects to vaccination on the basis of a sincerely held religious belief and the individual can provide documentation demonstrating their 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 Hospice program.

Implementation

The implementation of this requirement includes reporting, oversight, and enforcement as described below.

Hospice Programs

- Hospice programs will be required to collect proof from each personnel of completion of the full required regiment of COVID-19 vaccine doses, or documentation that they qualify for an exemption no later than October 31, 2021.
- Hospice programs are required to maintain proof of vaccination or exemption for all personnel the program employs, and have available to provide to DPH upon request.
- Appropriate documentation of a medical exemption must be issued by a licensed independent practitioner who has a practitioner/patient relationship with the individual and the documentation must support the finding that the COVID-19 vaccine is medically contraindicated, which means that the vaccine would likely be detrimental to the person's health.
- Hospice programs must update their vaccination status information by the last day of each month, beginning on October 31, 2021.
- Additional information on documentation and reporting can be found in the DPH guidance, noted above.
- DPH will take appropriate licensure action with any hospice program where there are personnel who are not vaccinated after October 31, 2021.
- Additionally, Agencies may be required to submit reporting to MassHealth to ensure compliance with the COVID-19 vaccine requirement and MassHealth reserves the right to implement updated reporting requirements in the future.

Process

Amendments to DPH regulation 105 CMR 141.000: *Licensure of Hospice Programs* were promulgated on September 8, 2021, and are effective immediately with public comment process to follow.

MassHealth Website

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Questions

If you have any questions about the information in this bulletin, please contact the Long Term Services and Supports (LTSS) Provider Service Center.

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