



MassHealth
Hospice Bulletin 23
February 2022

TO: Hospice Providers Participating in MassHealth

FROM: Amanda Cassel Kraft, Assistant Secretary for MassHealth

RE: Updated COVID-19 Vaccine Requirement for 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 www.mass.gov/doc/covid-19-personnel-vaccination-requirement-for-hospice-programs/download.

This bulletin communicates updates to the vaccine requirement previously issued through Hospice Bulletin 22 to also include a COVID-19 booster vaccination requirement. All requirements in Hospice Bulletin 22 remain in effect.

COVID-19 Primary Series Vaccination Requirement

To implement this requirement for hospice programs, all personnel defined above must have already received the full required regimen of COVID-19 vaccination doses, or document that they qualified for an exemption, by October 31, 2021. See Hospice Bulletin 22 for further information regarding exemptions.

Additional COVID-19 Booster Vaccination for Eligible Staff

Pursuant to [COVID-19 Public Health Emergency Order No. 2022-01](#) issued by the Commissioner of Public Health on January 6, 2022, Hospice programs must ensure that all eligible staff who are required to receive the primary COVID-19 vaccination series have received a COVID-19 additional dose or booster vaccination no later than February 28, 2022.

Eligible staff are those who completed their primary COVID-19 vaccination series at least

- five months prior if they received Pfizer or Moderna, or
- at least two months prior for Johnson & Johnson, or
- such other time period as recommended by the CDC.

Staff who are not yet eligible by February 28, 2022, must receive the COVID-19 additional dose or booster vaccination as soon as possible and no later than three weeks after the date they become eligible.

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This is in addition to the vaccination requirements in Hospice Bulletin 22.

Exemptions

Staff are not subject to the requirements of 105 CMR 141.000 or [COVID-19 Public Health Emergency Order No. 2022-01](#) if they qualify for one of the limited exemptions described below;

- 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.

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

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 all personnel of completing both the full required regimen of the COVID-19 vaccine as well as additional dose or booster vaccination, or documentation that they qualify for an exemption by February 28, 2022, and no later than three weeks after they become eligible as described above.
- 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.

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- 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.

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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