The Commonwealth of Massachusetts

Executive Office of Elder Affairs

## One Ashburton Place, 5th Floor

## Boston, Massachusetts 02108

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**Notice of Public Hearing**

Pursuant to M.G.L. c. 30A § 2 and M.G.L. c. 19A § 6, a public hearing will be held on Monday, November 8th from 10:00 a.m. to 12:00 p.m. via zoom

Zoom Meeting Information:

<https://us06web.zoom.us/j/88317742054?pwd=djc4ODRIL0M2L3g3QXozRzVrYU1kQT09>

Call-in Only Information:

        +1 646 558 8656 US (New York)

        +1 301 715 8592 US (Washington DC)

Meeting ID: 883 1774 2054#

Passcode: 533576#

Find your local number: <https://us06web.zoom.us/u/kcDaTr4wnc>

**651 CMR 12.00: Certification Procedures and Standards for Assisted Living Residences**

EOEA is mandated and authorized under M.G.L. c. 19D to establish processes for the certification and renewal of certification for Applicants and Sponsors of Assisted Living Residences (ALRs). 651 CMR 12.00 sets forth the standards for premises which, in part or in total, constitute an ALR in the Commonwealth of Massachusetts and provides penalties for operating such premises without Certification.

In response to ongoing public health emergency related to the COVID-19 pandemic, the proposed regulation modifications will benefit the health, safety, and welfare of ALR residents and personnel by establishing COVID-19 vaccination requirements for ALR personnel:

The COVID-19 vaccination requirement applies to all personnel who are employed by or affiliated with the ALR, whether directly, by contract with another entity, or as an independent contractor, paid or unpaid including, but not limited to, employees, contract employees or staff, students, and volunteers, whether or not such individual(s) provide direct care. ALR personnel are required to receive the full required regimen of vaccine doses approved or authorized for use to provide acquired immunity against COVID-19. ALRs must provide all personnel with information about the risks and benefits of COVID-19 vaccination, notify all personnel of the COVID-19 vaccination requirements, and provide guidance to personnel regarding how to receive COVID-19 vaccination

The COVID-19 vaccination requirement applies to all personnel except those for whom the vaccine is medically contraindicated or hold a sincerely held religious belief, provided that the individual is able to perform their essential job functions with a reasonable accommodation that is not an undue burden on the ALR. ALRs must maintain proof of COVID-19 vaccination or declination statements for ALR personnel and make such documentation available to EOEA during a Compliance Review; EOEA may take action pursuant to 651 CMR 12.00 against ALRs that do not comply with the COVID-19 vaccination requirement

Written testimony and public comment from interested parties may also be submitted. All written submissions must include the sender’s full name and address and be submitted to:

Siobhan.Coyle@mass.gov

Written testimony may also be submitted to the following address:

Executive Office of Elder Affairs
One Ashburton Place
Boston, MA 02108

Attention: Siobhan Coyle

Please submit electronic testimony as an attached MSWord document or .pdf file with the name of the regulation in the subject line. All submissions must include the sender’s full name and address. All written testimony, whether submitted via the Postal Service or electronically, must be received by 12:00 p.m. on November 8, 2021.

Reasonable accommodations for people with disabilities are available upon request. Please include a description of the accommodation you will need, including as much detail as you can. Also include a way we can contact you if we need more information. Please allow 72 hours advance notice. Last minute requests will be accepted, but may not be possible to fill. To submit a request for a reasonable accommodation, please e-mail to Siobhan.Coyle@mass.gov or call at (617) 222-7562.