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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**Memorandum**

**TO:** Out-of-Hospital Dialysis Unit Administrators

**FROM:**          Teryl Smith, RN, MPH Director

Bureau of Health Care Safety and Quality

**SUBJECT:**   Out-of-hospital Dialysis Personnel Vaccination for COVID-19 and Influenza

**DATE:** January 31, 2025

The purpose of this memorandum is to inform Massachusetts out-of-hospital dialysis units of the steps needed to fulfill the Massachusetts Department of Public Health (DPH) requirement to vaccinate healthcare personnel (HCP) for influenza and COVID-19 and to submit these data in accordance with DPH guidelines outlined in this memorandum.

**COVID-19 and Influenza Vaccination Requirement**:

As a condition of licensure, pursuant to 105 CMR 145.900, out-of-hospital dialysis facilities are required to comply with licensing and administrative procedures outlined in 105 CMR 140.101 through140.150 in the clinic licensure regulations, which include the requirement to ensure all HCP are vaccinated annually with seasonal influenza vaccine and are up to date with vaccine doses for COVID-19 as recommended by the Centers for Disease Control and Prevention (CDC), unless an individual is exempt from vaccination.[[1]](#footnote-2) For the purposes of this memorandum, being up to date with vaccine doses for COVID-19 means that HCP must receive one updated 2024-2025 COVID-19 vaccine, at least eight weeks after receiving the last dose of any COVID-19 vaccine.[[2]](#footnote-3) An individual who has not previously received any doses of COVID-19 vaccine but who receives one dose of the updated 2024-2025 COVID-19 vaccine is also up to date.

HCP means an individual or individuals who either work at or come to the licensed site and who are employed by or affiliated with the facility, 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, whether or not such individual(s) provide direct care.

All HCP, who are not subject to an exemption, must be up to date with COVID-19 vaccine no later than March 31, 20245.  In alignment with the CDC and the Centers for Medicare and Medicare Care Services (CMS), all HCP, who are not subject to an exemption, must have received the 2024-2025 seasonal influenza vaccine no later than March 31, 2025. While out-of-hospital dialysis units are not required to procure vaccines for, or administer vaccines to HCP directly, they are required to ensure that HCP are vaccinated, unless exempt. Out-of-hospital dialysis units may choose (but are not required) to host a health care provider to administer vaccines to their HCP and may bill health insurance for those HCP that provide their insurance information. Additionally, the out-of-hospital dialysis unit may direct HCP to a local pharmacy or health care provider for the administration of these vaccines.

For individuals that are subject to the vaccination requirement exemption, out-of-hospital dialysis units may choose to require that such individual take mitigation measures in addition to continuing to self-assess for any signs or symptoms of illness. Mitigation measures that the out-of-hospital dialysis unit may require an exempt individual take include, but are not limited to:

* Wearing a facemask during all patient care encounters for the duration of the respiratory illness season; and
* Avoiding direct patient care.

DPH continues to recommend that HCP use personal protective equipment (PPE) consistent with the Department’s [Comprehensive PPE Guidance](https://www.mass.gov/doc/updated-comprehensive-personal-protective-equipment-2/download).

**Documentation Requirements**:

The referenced clinic licensure regulations direct that out-of-hospital dialysis units maintain for each individual proof of current seasonal influenza vaccination and being up to date with COVID-19 vaccination or the individual’s exemption statement. These records must be maintained via a central system to track the vaccination status of all HCP and must be available to DPH upon request. Examples of individual proof of current vaccination include but are not limited to:

* Copy of CDC Vaccination Card.
* Copy of MA Immunization Information System (MIIS) Vaccination Record.
* Copy of vaccination from an electronic health record.
* COVID-19 SmartHealthcard from the Commonwealth’s MyVaxRecords public portal.

Exemption statements from HCP must a signed statement certifying they received information about the risks and benefits of COVID-19 and/or influenza vaccination.

**Out-of-Hospital Dialysis Unit Reporting Requirements:**

To comply with the regulatory requirements, all Massachusetts out-of-hospital dialysis units must annually report their aggregate HCP COVID-19 and influenza vaccination summary data via CDC’s National Health Safety Network (NHSN) and make the data available to DPH in NHSN. NHSN training materials are located at: <http://www.cdc.gov/nhsn/training/index.html>

In alignment with CDC and CMS, out-of-hospital dialysis units must submit HCP COVID-19 vaccination data to CDC’s NHSN by **May15, 2025** and HCP influenza vaccination data to CDC’s NHSN by **May 15, 2025**.

Please note the referenced clinic licensure regulations do not allow reporting an unknown vaccination status.

**To assist facilities in documenting, monitoring and tracking HCP COVID-19 & influenza vaccination data throughout the respiratory season, DPH has developed a Facility COVID-19 & Flu Tracking Tool, available at the following link:** [Health Care Personnel Influenza Vaccination References and Resources | Mass.gov](https://www.mass.gov/info-details/health-care-personnel-influenza-vaccination-references-and-resources)

Please submit questions regarding 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).

1. Note that the requirements under 105 CMR 140.150 apply to out-of-hospital dialysis facilities licensed under 105 CMR 145.000 pursuant to 105 CMR 145.900. [↑](#footnote-ref-2)
2. [Staying Up to Date with COVID-19 Vaccines | COVID-19 | CDC](https://www.cdc.gov/covid/vaccines/stay-up-to-date.html) [↑](#footnote-ref-3)