



Lunch & Learn
Survey Compliance for the Vaccine Mandate
 February 4, 2022

1

Overview

- **Virginia**
 - CMS QSO-22-07-ALL
 - Long-Term Care and Skilled Nursing Facility Attachment A for QSO 22-07-ALL
 - 30-day timeframe began January 27, 2022



2

Required Policy and Procedure

- Process to ensure all staff are fully vaccinated
- Process for staff to request exemptions or temp delayed
- Outline additional precautions for unvaccinated staff
- Process to document and track vaccine status
- Establish a contingency plan for unvaccinated staff



3

Vaccination

- Fully Vaccinated
 - Defined as completion of primary dose or series
 - Booster not included in definition of fully vaccinated



4

Staff Covered

(1) Regardless of clinical responsibility or resident contact, the policies and procedures must apply to the following facility staff, who provide any care, treatment, or other services for the facility and/or its residents:

- Facility employees;
- Licensed practitioners;
- Students, trainees, and volunteers; and
- Individuals who provide care, treatment, or other services for the facility and/or its residents, under contract or by other arrangement.



5

Staff Not Covered

(2) The policies and procedures of this section do not apply to the following facility staff:

- Staff who exclusively provide telehealth or telemedicine services outside of the facility setting and who do not have any direct contact with residents and other staff specified in paragraph (i)(1) of this section; and
- Staff who provide support services for the facility that are performed exclusively outside of the facility setting and who do not have any direct contact with residents and other staff specified in paragraph (i)(1) of this section



6

Staff Exemptions

- Clinical Contraindications – Medical Exemption
- Temporary Delay
- Religious for a sincerely held belief
 - Signed and dated note by licensed practitioner and must contain:
 - Which COVID-19 vaccines are exempted
 - Clinical reason(s) for the contraindications
 - Statement by the practitioner recommending exemption from vaccination requirement



7

7

Additional Precautions

To ensure staff who are not yet fully vaccinated, or who have a pending or been granted an exemption, or who have a temporary delay, "there a variety of actions or job modifications a facility can implement to potentially reduce the risk of COVID-19 transmission including, but not limited to:

- mandatory routine COVID-19 testing,
- physical distancing from co-workers and patients,
- re-assignment or modification of duties, teleworking, or a combination of these actions."

Accommodations can be addressed in the facility's policies and procedures.



8

8

Tracking Staff Vaccinations

The facility must track and securely document:

- Each staff member's vaccination status
- Any booster doses received
- Staff who have been granted an exemption from vaccination
- Requirements by the facility; and
- Temporarily delayed status



9

9

Staffing Contingency Plan

Must have a plan for staff who are not fully vaccinated

- What actions will be taken to get staff fully vaccinated
 - Deadline for staff to have obtained their first dose of a multi-dose vaccine
 - Indicate actions the facility will take if deadline is not met
- Actions will be taken for staff not fully vaccinated due to an exemption or temporary delay in vaccination, such as through the additional precautions
- Actions that will be taken for staff who refuse vaccination without a valid exemption



10

10

Survey and Enforcement – F888

- Compliance will be assessed during Standard and Complaint Surveys
 - Within 30 days
 - Policy and procedures must be developed and implemented; and
 - All staff received at least one dose of vaccine or granted or pending request for exemption
 - Within 60 days and thereafter
 - Policy and procedures must be developed and implemented; and
 - All staff fully vaccinated or granted exemption or temporary delay



11

11

Scope and Severity – F888

- See page 14 of:
 - Long-Term Care and Skilled Nursing Facility – Attachment A – QSO 22-07 ALL



12

12

NSHS Data

- A comparison of NHSN staff vaccination rates against the facility staff tracking record
 - Using the same method that NHSN uses
- Difference of:
 - <10% - Nothing additional
 - >10% - More in-depth review to determine the reason
 - If NHSN is incorrect but facility records are correct, the facility must update NHSN immediately
 - If the facility records are incorrect will be cited at F888

QSO 22-07 ALL: Long-Term Care and Skilled Nursing Facility: Attachment A: Page 9-10



13

13

Thank You!

April R. Payne, MBA, LNHA
Chief Quality & Regulatory Affairs Officer
Executive Director of VCAL
Virginia Health Care Association | Virginia Center for Assisted Living
2112 West Laburnum Avenue, Suite 206 | Richmond, VA 23227
W: (804) 212-1698 | M: (804) 212-9917
april.payne@vhca.org



14

14