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ACL 21-08-Rev

Date: August 10, 2021
To: Adult Day Health Care (ADHC) / Community-Based Adult Services (CBAS)
Center Administrators and Program Directors
From: California Department of Aging (CDA) CBAS Bureau
Subject: Notice of California Department of Public Health (CDPH) State Public Health Officer Order - "Unvaccinated Workers in High-Risk Settings"

Purpose

This All Center Letter (ACL) informs CBAS providers of the California Department of Public Health (CDPH) [State Public Health Officer Order](#), released on July 26, 2021, and posted on the CDPH webpage.

This State Public Health Officer Order (Order) goes into effect on August 9, 2021. The health facilities identified in the Order, which includes ADHC/CBAS centers, must be in full compliance with these public health directives by August 23, 2021.

This Order coincides with the Governor's announcement on July 26, 2021, requiring all workers in health care and high-risk congregate settings to either show proof of full vaccination or be tested at least once per week. This Order provides guidance on implementing the Governor's message, "[California Implements First-in-the-Nation Measures to Encourage State Employees and Health Care Workers to Get Vaccinated.](#)" published on July 26, 2021.

Note: The information that follows are excerpts from the Order relevant to ADHC/CBAS centers. However, it is important for CBAS providers to review the entire Order.

What Facilities Are Covered by the New Order?

This Order applies to the following health facilities:

- A. Acute Health Care and Long-Term Care Settings:**
 1. General Acute Care Hospitals
 2. Skilled Nursing Facilities (including Subacute Facilities)
 3. Intermediate Care Facilities

- B. High-Risk Congregate Settings:**
 4. Adult and Senior Care Facilities

5. Homeless Shelters
6. State and Local [Correctional Facilities and Detention Centers](#)

C. Other Health Care Settings:

7. Acute Psychiatric Hospitals
8. Adult Day Health Care Centers
9. Adult Day Programs Licensed by the California Department of Social Services
10. Program of All-Inclusive Care for the Elderly (PACE) and PACE Centers
11. Ambulatory Surgery Centers
12. Chemical Dependency Recovery Hospitals
13. Clinics & Doctor Offices (including behavioral health, surgical)
14. Congregate Living Health Facilities
15. Dental Offices
16. Dialysis Centers
17. Hospice Facilities
18. Pediatric Day Health and Respite Care Facilities
19. Residential Substance Use Treatment and Mental Health Treatment Facilities

What Are the Requirements for ADHC/CBAS Facilities?

ADHC/CBAS facilities must verify the vaccine status of all workers. Pursuant to the [CDPH Guidance for Vaccine Records Guidelines & Standards](#), only the following modes may be used as proof of vaccination:

1. COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); OR
2. A photo of a Vaccination Record Card as a separate document; OR
3. A photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
4. Documentation of COVID-19 vaccination from a health care provider; OR
5. Digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type; OR
6. Documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

In the absence of knowledge to the contrary, a facility may accept the documentation presented as valid.

Facilities must have a plan in place for tracking verified worker vaccination status. Records of vaccination verification must be made available, upon request, to the local health jurisdiction for purpose of case investigation. Workers who are not fully vaccinated,

or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated.

Respirator or Mask Requirements

All facilities identified in the Order must strictly adhere to current [CDPH Masking Guidance](#). Refer to the Order for more details about masking requirements for specific settings.

For high-risk congregate settings and other health care settings, where Title 8 of the California Code of Regulations does not require the use of respirators, facilities shall provide all unvaccinated or incompletely vaccinated workers with FDA-cleared surgical masks. Workers are required to wear FDA-cleared surgical masks in indoor settings anywhere they are working with another person.

Note: ADHC/CBAS centers are in the category of “Other Health Care Settings” and thus must adhere to current [CDPH Masking Guidance](#). This guidance is effective as of July 28, 2021, and supersedes all prior CDPH face coverings guidance.

Testing Requirements for High-Risk Congregate Settings and Other Health Care Settings

Asymptomatic **unvaccinated** or incompletely vaccinated workers are **required to undergo** diagnostic screening testing. Workers may choose either antigen or molecular tests to satisfy this requirement, but unvaccinated or incompletely vaccinated workers must be tested **at least once weekly** with either PCR testing or antigen testing.

More frequent testing improves outbreak prevention and control and is encouraged, especially with antigen testing. Any PCR (molecular) or antigen test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

Additional Requirements for All Facilities

1. Unvaccinated or incompletely vaccinated workers must also observe all other infection control requirements, including masking, and are not exempt from the testing requirement even if they have a medical contraindication to vaccination, since they are still potentially able to spread the illness. Previous history of COVID-19 from which the individual recovered more than 90 days earlier, or a previous positive antibody test for COVID-19, **do not** waive this requirement for testing.
2. Diagnostic screening testing of asymptomatic fully vaccinated workers is not currently required. However, fully vaccinated workers may consider continuing routine diagnostic screening testing if they have underlying immunocompromising conditions (e.g., organ transplantation, cancer treatment), which might impact the level of protection provided by COVID-19 vaccine.

3. Facilities with workers required to undergo workplace diagnostic screening testing should have a plan in place for tracking test results, conducting workplace contact tracing, and must report results to local public health departments. There are IT platforms available that can facilitate these processes for facilities.

Definitions of Terms in the New Order

The term “worker” as used in the Order is defined as follows:

“Worker” refers to all paid and unpaid persons serving in health care, other health care or congregate settings who have the potential for direct or indirect exposure to patients/clients/residents or SARS-CoV-2 airborne aerosols. Workers include, but are not limited to, nurses, nursing assistants, physicians, technicians, therapists, phlebotomists, pharmacists, students and trainees, contractual staff not employed by the health care facility, and persons not directly involved in patient care, but who could be exposed to infectious agents that can be transmitted in the health care setting (e.g., clerical, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, and volunteer personnel).

Refer to the Order for the definitions of other terms used in this ACL such as “fully vaccinated,” “incompletely vaccinated,” “unvaccinated,” “respirator,” and “WHO Yellow Card.”

Next Steps

CDA will be determining what resources will be available for ADHC/CBAS providers to implement the requirements in this Order and will provide additional information and guidance as it becomes available. Please contact your center’s CDA Program Advisor or the CBAS Bureau mailbox if you have any questions about this ACL.

Questions

Please contact the CBAS Bureau if you have any questions at (916) 419-7545 or via email to cbascda@aging.ca.gov.