

DEPARTMENT OF DEVELOPMENTAL SERVICES

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September 28, 2021

TO: REGIONAL CENTER BOARD PRESIDENTS
REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: STATE PUBLIC HEALTH OFFICER ORDER REGARDING WORKER
VACCINATION MANDATE

Earlier today, the State's Public Health Officer issued a new public health order (PHO) available here: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx>.

Welfare and Institutions (W&I) Code section 4639.6 authorizes the Director of the Department of Developmental Services (Department) to issue directives to regional centers as the Director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with W&I Code section 4434. Regional centers must comply with any directive issued by the Director pursuant to this section.

The purpose of this letter is to summarize the PHO, which requires full vaccination (defined as one dose of a one-dose vaccine, or both doses of two-dose vaccines) of the following individuals by November 30, 2021:

- a. All workers who provide services or work in Adult and Senior Care Facilities licensed by the California Department of Social Services;
- b. All in-home direct care services workers, including registered home care aides and certified home health aides, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
- c. All waiver personal care services (WPCS) providers, as defined by the California Department of Health Care Services, and in-home supportive services (IHSS) providers, as defined by the California Department of Social Services, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
- d. All hospice workers who are providing services in the home or in a licensed facility; and
- e. All regional center employees, as well as service provider workers, who provide services to a consumer through the network of Regional Centers serving individuals with developmental and intellectual disabilities, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services.

“Building Partnerships, Supporting Choices”

Of note, the PHO states that all workers who are eligible for the live-in and family member exceptions outlined in subdivisions (b), (c), and (e) above must only provide services to a single household.

The PHO defines “workers” as follows:

“...all paid and unpaid individuals who work in indoor settings where (1) care is provided to individuals, or (2) persons in care have access for any purpose. This includes workers serving in residential care or other direct care settings who have the potential for direct or indirect exposure to persons in care or SARS-CoV-2 airborne aerosols. Workers include, but are not limited to, direct supportive services staff, hospice providers, nurses, nursing assistants, physicians, technicians, therapists, WPCS providers, IHSS providers, registered home care aides, certified home health aides, students and trainees, contractual staff not employed by the residential facility, and persons not directly involved in providing care or services, but who could be exposed to infectious agents that can be transmitted in the care setting (e.g., clerical, clergy, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, cosmetology, personal training and volunteer personnel).”

Exemptions and Recordkeeping

The PHO allows specified exemptions for religious beliefs and qualified medical reasons. If a worker is exempted, they must be tested for COVID-19 once per week and wear at least a surgical mask. If a worker is exempted, their employer must retain a record of the exemption and each worker’s test results.

Employers, and in some cases the worker, must retain a record of vaccination for each employee.

Please read the PHO for more detail about these exemptions and requirements.

Other Information

The California Department of Public Health’s vaccine record guidelines & standards, including how to obtain records and provide proof of vaccination, among other topics, is found [here](#).

The Department’s September 15, 2021 [letter](#) provides information about how to subscribe to facility letters issued by the California Department of Public Health and California Department of Social Services. These departments regularly issue instructions and information which may be helpful.

Information about vaccination and booster shots continues to evolve. On September 24, 2021, the Governor issued [a statement](#) about the Western States Scientific Safety Review Workgroup’s booster shot recommendations. The Department issued a [letter](#) on

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September 24, 2021 containing the most recent available information. We will continue to provide updates as more information becomes available, including on the Department's COVID-19 Vaccine and Testing [website](#) and Directives [website](#).

Also, in anticipation of further FDA action, on September 23, 2021, the California Department of Public Health issued a "[Vaccine Action Plan](#)." This plan outlines current state considerations for how vaccinations and booster shots would be available, if approved. The plan also provides additional information, such as that the federal government will not be re-starting the Long-term Care Federal Pharmacy Partnership program to vaccinate residents of congregate facilities.

Each regional center must share the PHO with its vendors. Each regional center also must post on its website: 1) this Directive, or (2) a link to this Directive where it is found on the Department's [website](#).

Thank you in advance for ensuring your regional center's compliance with this PHO and Directive.

Sincerely,

Original signed by:

NANCY BARGMANN
Director

cc: Regional Center Administrators
Regional Center Community Services Directors
Regional Center Directors of Consumer Services
Association of Regional Center Agencies