

Mandatory Covid-19 Vaccination Policy and Procedure

PURPOSE:

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole. As a participating member of the Medicare and Medicaid programs, H&G Nursing Homes, Inc (also referred to as “the Company”) has adopted this policy on mandatory COVID-19 vaccination in accordance with the CMS Omnibus COVID-19 Health Care Staff Vaccination Interim Final Rule (CMS-3415-IFC) and to further safeguard the health of our residents and employees from the hazard of COVID-19.

SCOPE:

This Mandatory COVID-19 Vaccination Policy applies to **ALL** employees of H&G Nursing Homes, Inc and its places of business, Adams County Manor and Morris Nursing Home, regardless of their clinical responsibility or patient contact. This includes all current staff as well as new, incoming staff who provide any care, treatment, or other services for the facility and/or its patients, licensed practitioners, students, trainees, volunteers and individuals who provide any services to the facility and/or its patients under contract or other arrangement. The only excluded individuals are employees who do not report to a workplace where other individuals (such as coworkers or customers) are present (100% Remote services); employees while working from home; and employees who work exclusively outdoors.

All employees covered by this policy are required to be fully vaccinated as a term and condition of employment at H&G Nursing Homes, Inc. The effective date of the Emergency Regulation issued by CMS is November 5, 2021. The following two (2) phases for staff vaccination were created in order to maintain compliance with the regulation:

1. **Phase 1:** Within 30 days after the regulation has been published, **December 6, 2021**, all staff must have received, at a minimum, the first dose in a two dose primary series (Pfizer/Moderna) or a single dose of a single dose primary series (J&J) COVID-19 vaccine prior to staff providing any care, treatment, or other services for the facility and/or its patients.
2. **Phase 2:** Within 60 days after the regulation has been published, **January 4, 2022**, all staff must have completed a primary vaccination series, except for those who have been granted exemptions from the COVID-19 vaccine or those staff for whom COVID-19 vaccination must be temporarily delayed, as recommended by the CDC.

Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine, with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as the Johnson & Johnson vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. **All employees are required to report their vaccination status and to provide proof of vaccination to facility Administration.** Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if applicable, their testing results. Employees not in compliance with this policy by the Phase 1 compliance date of **December 6, 2021**, will be subject to disciplinary action including unpaid administrative leave until compliance can be achieved or potential termination of employment for failure to adhere to the company’s policy.

Exemptions and Exceptions:

In accordance with the American with Disabilities Act (ADA) and Title VII of the Civil Rights Act of 1964, employees may request an exemption from meeting the requirements of this mandatory vaccination policy as a Reasonable Accommodation to assist any employee who is disabled, has a qualifying medical condition that is a contraindication to the vaccine, or who objects based on sincerely held religious beliefs and practices. Accommodations will only be approved where they do not cause the Company an undue hardship or pose a direct threat to the health and safety of others. Please see the **Exemption and Accommodation Procedure for COVID-19 Vaccine** for a full overview and description of the interactive process on requesting an exemption or accommodation to the Mandatory Covid-19 Vaccination requirement. Requests for exemptions should be sent to Exemption-Review-Committee@hg-nh.com. Questions can be directed to the Human Resources Department or Company Administrator. The procedure for requesting and reviewing exemptions and accommodations is an interactive process between the employee and employer where information is collected and documentation is obtained, as necessary. All such requests will be handled in accordance with applicable laws and regulations. Falsification and/or submitting fraudulent statements/documentation could result in criminal penalties and will warrant immediate termination of employment

PROCEDURES:

TIMELINE OF IMPLEMENTATION AND COMPLIANCE

The timeline for implementation is as follows.

- By **December 1, 2021**, team members who are requesting medical or religious exemption must have submitted an official request in accordance with the Company's Exemption and Accommodation Procedure.
- By **December 6, 2021**, H&G team members are required to have received either their first dose of a two dose vaccine (Pfizer or Moderna) or One dose of a single dose vaccine (Johnson & Johnson/Jansen) and have submitted an approved proof of vaccination to the Company, unless seeking an exemption.
- **On December 7, 2021**, H&G team members **not** meeting the requirements of having their 1st dose completed, have not submitted an approved proof of vaccination to the Company, or have not submitted a request for exemption will be removed from the schedule and/or placed on administrative leave until they have either completed their 1st dose or are fully vaccinated, submitted approved proof of vaccination, or have had their exemption approved.
- By **January 4, 2022** All H&G team members are required to have their final dose, completing their vaccination series or have an exemption approved by the Company's Exemption Request Review Committee.
- **On January 5, 2021**, Team Members who are not vaccinated or do not have an exemption approved by the Company's Exemption Request Review Committee will be voluntarily separated from the Company

All new hires will be required to produce evidence of vaccination status and/or acceptance to be vaccinated through their own means, at the Company's next vaccine clinic or submit request for exemption review and approval.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine. An employee will be considered partially vaccinated if they have received only one dose of a two dose vaccine.

There are numerous methods employees may use to receive the COVID-19 vaccine and meet the requirements of this policy. Some options are:

- Local Outpatient offices and clinics have the vaccine readily available. Depending on the individual office or clinic, some require appointments to be made and some offer walk-in vaccination services.
- Various pharmacies in the area offer the vaccine such as CVS Pharmacy and Wal-Mart, either by appointment or walk-in services.
- You can request the vaccine from your own primary health care provider
- The Local Health Department has the vaccine readily available and offer vaccination with appointments
- On-site vaccination clinics offered through our contracted pharmacy, Skilled Care Pharmacy. These clinics are offered in-house at least once every month

VACCINATION STATUS AND ACCEPTABLE PROOF OF VACCINATION

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted in the following ways:

1. In-person delivery to the Director of Nursing at each facility or in-person delivery to our Human Resources Department
2. Via email to VaccinationProof@hg-nh.com
3. Via Fax to the Attention of the facility DON or the Human Resources Department
 - a. Adams County Manor – 937-544-4241
 - b. Morris Nursing Home – 513-734-7454
 - c. Human Resource Department – 513-734-6319
4. Other arrangements can be made by contacting the facility DON or HR Department at the following phone numbers;
 - a. Adams County Manor – (937) 637-1498
 - b. Morris Nursing Home – (513) 964-4434
 - c. Human Resource Department – (513) 964-4460

Acceptable proof of vaccination status:

1. The record of immunization from a healthcare provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;
3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields,

such as clinic site; in those circumstances the Company will still accept the state immunization record as acceptable proof of vaccination.

H&G Nursing Homes, Inc. will maintain a system for the organized storage of all vaccination status documentation, exemption requests and determinations that is separate from individual employee personnel files. These files will be held in compliance with all applicable privacy and confidentiality laws including HIPAA and privacy laws of the ADA and EEOC. Tracking and logging tools including focused spreadsheets and company created workbooks will be utilized by the Company to maintain accurate and updated vaccination data. These organizational tools will be used for the purposes of providing proof of compliance with regulatory mandatory vaccine requirements as well as aid the Company in submitting its vaccination data online as required by regulation.

The following table outlines the requirements for submitting vaccination status documentation:

Vaccination Status	Instructions	Deadline
Employees who are fully vaccinated.	Submit proof of vaccination that indicates full vaccination.	January 4, 2022
Employees who are partially vaccinated (i.e., one dose of a two dose vaccine series).	Submit proof of vaccination that indicates when the first dose of vaccination was received, followed by proof of the second dose when it is obtained.	December 6, 2021
Employees who have not yet been vaccinated.	Notify direct supervisor and provide a statement that includes current status of being unvaccinated and what plans they have to meet the requirements of this policy. If the employee is unsure on what steps to take next, supervisor will direct the employee to have a conversation with Director of Nursing on options.	December 1, 2021

SUPPORTING OFF-SITE COVID-19 VACCINATION

In order to support employee's efforts to receive the vaccine and comply with this requirement, we have established an accommodation for this scenario. If an employee needs to receive the vaccine off-site during the working hours of a scheduled shift, accommodations will be made for that team member to leave work and be paid their normal hourly rate for the purpose of leaving to get a vaccine. This includes allowing time to monitor and care for any side effects following having the vaccine administered, up to 4 hours.

Employees should notify their supervisor in advance to request this time out of the facility so that proper coverage can be found. Prior to leaving work to go receive a vaccine off-site, employees will notify their supervisor before they leave and will be given a manual time sheet to record their time out and time back in the facility for the purpose of receiving a vaccine off-site. This time sheet will include an area for the staff administering the vaccine to complete that includes the time the employee arrived at the location of vaccine administration, the time the vaccine was administered to the employee and the time the employee departed from the location the vaccine was administered as well as a place for the staff administering the vaccine to sign. After returning to work, time sheets should be turned into their supervisors along with their approved proof of vaccination record.

PROTOCOLS FOR UNVACCINATED STAFF WITH APPROVED EXEMPTION

Employees and vendors who remain unvaccinated following the required deadlines but have had a request for exemption approved by the Company will be required to follow a different set of protocols and accommodation criteria when present in our facilities. These protocols will be ongoing and are not affected by community transmission levels, community positivity rates or facility outbreak status. The accommodation criteria are:

- Must wear a mask, provided by the Company, in accordance with facility and community infection rates, at all times when inside the facility regardless of whether direct contact or care is being provided to residents. The type of mask to be worn is dependent on many factors and will be determined and communicated by the Company
- Must wear an approved form of eye protection as determined by the facility in accordance with CDC guidance, such as protective goggles, approved safety glasses or a face shield. All items will be provided by the Company
- Must practice ongoing adequate social distancing practices from residents and other staff when not performing the basic functions and tasks of the job
- Must continue to test for COVID-19 on scheduled days as determined by each facility's clinical leadership. The method for testing will also be determined by facility clinical leadership (POC Rapid tests, Laboratory PCR tests or a combination of the two). Future changes to the Public Health Emergency could result in COVID-19 testing to no longer be without cost. Should this happen while the requirements of this regulation are still in place, the employee will still be required to meet the conditions of testing and will be responsible for the expense of testing either through their own insurance or privately paying the cost. Costs will be dependent on whether the test is completed in our facility or at an alternative, outside location.

These protocols must be adhered to without exception as an ongoing condition of employment with H&G Nursing Home's facilities. Should guidance or requirements around protocols for unvaccinated staff or testing frequency change in the future, this policy will be updated to include such guidance and requirements and will be distributed and communicated with all those required to follow these protocols.

Failure to comply with the above protocols and accommodation criteria of wearing N95 respirator masks, eye protection, social distancing and completing twice weekly COVID-19 testing per the Company's schedule will result in disciplinary action including unpaid suspensions and potential termination of employment.

NEW HIRES AND INCOMING STAFF

All new employees are required to comply with the vaccination requirements outlined in this policy as soon as practicable and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy during the interview and applicant selection process. New hires must be able to produce evidence of vaccination status and/or acceptance to be vaccinated through their own means, at the Company's next vaccine clinic or submit request for exemption review and approval.

CONFIDENTIALITY AND PRIVACY

All information collected from individuals, including vaccination information, test results, exemption requests and any other information obtained as a result of this policy will be treated in accordance with applicable laws and policies on confidentiality and privacy.

QUESTIONS

Please direct any questions regarding this policy to VaccinePolicy@hg-nh.com. You may also go to your direct supervisor, Director of Nursing, Human Resource Department or the Company Administrator.