



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Developmental Disabilities Administration
PO Box 45310, Olympia, WA 98504-5310

September 14th, 2021

Dear Contracted Provider of Out-of-Home Services,

This communication provides responses to questions posed during the DDA Children's Residential Provider Meeting held on September 8th, 2021. For purposes of this communication, Health Care Operator includes DDA contracted Out-of-Home Services providers.

May I lay my employee off or suspend employment versus terminating employment if they choose not to be fully vaccinated and do not have an approved reasonable accommodation?

As a contractor, you should consult with your legal counsel, your human resources department and Labor & Industries for guidance.

How do I determine whether or not my delegating nurse will be employed after October 18th 2021?

Nurse Delegation providers are contracted with Aging and Long-Term Support Administration. You may contact the individual nurse delegator that works with your agency to verify their vaccination status.

If a staff person has lost their immunization card, and received the dose at a disappearing clinic (non-permanent) is there a one stop place that they can request a new copy?

Vaccine Records: To get your copy, visit MyIRMobile.com to sign up for free. If you already have a MyIRaccount set up, your all set! For language assistance, or additional help getting your records, please call 833-VAX-HELP (833-829-4357) or contact by email at waisrecords@doh.wa.gov.

As a health care setting operator, what groups of people am I required to verify the vaccination status of?

An operator of a health care setting must verify the vaccination status of:

- Every employee, volunteer, or contractor who works in the health care setting, whether or not the person is licensed or provides health or long-term care services.
- Every employee, volunteer, or contractor who provides health or long-term care services for the health care setting operator, whether in a health care setting or not.

Vaccination verification is not required for visitors, patrons, clients or patients.

I have employees, volunteers, and contractors requesting exemptions. Under what circumstances may I grant those?

The proclamation requires health care setting operators to provide disability-related reasonable accommodations and sincerely held religious belief accommodations to the requirements of the

proclamation as required by the Americans With Disabilities Act (ADA), Title VII of the Civil Rights Act of 1964 (Title VII), the Washington Law Against Discrimination (WLAD), and any other applicable law. Health care setting operators may follow their accommodation processes, provided they comply with applicable law.

Any accommodations provided must, to the extent permitted by law, require the individual to take COVID-19 safety measures that are consistent with DOH recommendations for the setting in which the individual works.

Health care setting operators must follow the accommodations processes required by law and are prohibited from providing accommodations that they know are based on false, misleading, or dishonest grounds or information or are actually based on personal preference. They are likewise prohibited from providing accommodations without conducting an individualized assessment and determination of each individual's need and justification for an accommodation, i.e., "rubberstamping" accommodation requests.

What documentation must I obtain when an employee, volunteer, or contractor requests a disability-related reasonable accommodation to the vaccine requirement?

The proclamation requires that, to the extent permitted by law, before providing a disability related reasonable accommodation, a health care setting operator obtain from the individual requesting the accommodation documentation from an appropriate health care or rehabilitation professional stating that the individual has a disability that necessitates an accommodation and the probable length of time that the accommodation will be needed. A *Disability-Related (Medical) Exemption Form Template* is posted on the [Governor's Office Vaccine Mandate FAQ](#) webpage.

Who is considered an appropriate health care professional for the purposes of requesting a disability-related reasonable accommodation?

The appropriate professional in any particular situation will depend on the disability and the type of functional limitation it imposes. Under state law, health care professionals may diagnose and treat only those conditions within the scope of their license and the laws governing their profession.

What documentation must I obtain when an employee, volunteer, or contractor requests a religious belief accommodation?

As a contractor, you should consult with your human resources department and Labor & Industries for guidance. A *Religious Exemption Form Template and Religious Guidance Template* is posted on the [Governor's Office Vaccine Mandate FAQ](#) webpage.

Can an unvaccinated health care provider who is exempt from the vaccination requirement due to an accommodation still provide direct patient care?

It depends. Whether an appropriate reasonable accommodation for an unvaccinated health care provider includes continuing to provide direct patient care will depend on the person's disability, limitations, duties, and work setting and be determined through an interactive process. Any accommodations provided must, to the extent permitted by law, require the individual to take

COVID-19 safety measures that are consistent with DOH recommendations for the setting in which the individual works.

May a health care setting operator hire an unvaccinated individual who is required to be vaccinated under the proclamation and train them remotely or allow them to engage in other work remotely until they are fully vaccinated?

No.

My question was not answered in the DOH FAQ. Who should I contact?

You may send further questions about the vaccine requirement for health care providers and health care setting operators to covid.vaccine@doh.wa.gov.

We appreciate the services and supports you continue to provide for our vulnerable populations. We will inform you of the updates as we continue to get new information.

Sincerely,



Nichole Jensen
Children's Residential and Crisis Services Unit Manager
Developmental Disabilities Administration

Cc: Regional Administrators, Field Services Administrators, OHS Coordinators, OHS Resource Managers