

## Frequently Asked Questions

### Indian Health Service Circular No. 2016-04

#### Mandatory Seasonal Influenza Immunizations for Civilian Health Care Personnel

Available at: [https://www.ihs.gov/ihm/index.cfm?module=dsp\\_ihm\\_circ\\_main&circ=ihm\\_circ\\_1604](https://www.ihs.gov/ihm/index.cfm?module=dsp_ihm_circ_main&circ=ihm_circ_1604)

#### EXEMPTIONS

##### 1. What is a valid medical exemption?

- A request for a medical exemption from influenza vaccination may be approved for any person contraindicated to receive influenza vaccine as outlined by Advisory Committee on Immunization Practices (ACIP) recommendations.
- Based on current valid medical exemptions for influenza vaccines include a **history of severe allergic reaction to any component of the influenza vaccine, including egg protein, or a serious allergic reaction to a previous dose of influenza vaccine.**
  - i. Note that while severe allergic reaction to egg protein may contraindicate some individuals from receiving some influenza vaccines, there is an egg-free influenza vaccine product available.
- History of onset of **Guillain-Barre Syndrome (GBS) within 6 weeks following a prior influenza vaccine** is a precaution for influenza vaccination, and may be considered a valid medical exemption if a medical provider determines influenza vaccination poses a risk to the patient.

##### 2. What is a valid religious exemption?

- A religious exemption may be issued for any HCP who submits a written statement indicating that they have a religious belief that precludes them from receiving an influenza vaccine.

##### 3. Is there a standardized exemption form?

- No, there is not a standardized form for documenting influenza medical/religious exemptions. Documentation must be submitted by October 31st annually for review. Documentation required for exemptions includes:
  - Medical Exemption
    - HCP requesting a medical exemption must provide documentation signed by a licensed, independent, health care practitioner affirming that a valid medical contraindication exists that precludes influenza vaccination
    - Examples of medical exemption forms will be made available on the IHS influenza website
  - Religious Exemption
    - HCP who feel their religious belief precludes influenza vaccination must submit a signed, written statement justifying their request by October 31<sup>st</sup> annually for review.

**4. If my exemption is denied, will I have the opportunity to receive the vaccination prior to disciplinary action being taken?**

- Yes. Employees whose request for exemption is denied will receive a written justification for the denial and will have the opportunity to receive the influenza vaccination within a 2 week period prior to any disciplinary action being taken.

### **WEARING OF MASKS**

**5. Are HCP who receive an exemption required to wear masks?**

Yes. Unvaccinated HCP with an approved medical or religious exemption must wear an IHS-provided surgical or similar mask when working in patient care areas or other areas frequented by patients in an IHS healthcare facility during the influenza season. Influenza season is defined as November-March, though may include other periods of increased local activity as determined by the Centers for Disease Control and Prevention and/or state/local public health authorities.

**6. How is a “Patient care area” defined?**

- Due to the unique nature of each of our facilities, definition of what constitutes a “patient care area or other areas frequented by patient” is defined by the facility.

### **NON-COMPLIANCE**

**7. What are the consequences of refusing vaccination when there is no medical or religious exemption?**

- HCP who refuse to comply with this policy and do not have an approved medical or religious exemption are subject to disciplinary action in accordance with the Department of Health and Human Services and/or IHS policy and relevant sections of collective bargaining agreements as applicable. HCP refusal to comply with this policy will be documented and filed as part of the employee health record.

**8. Is a verbal report of a receipt of an influenza vaccine elsewhere adequate?**

- No. Verbal report of receipt of a flu vaccine is not sufficient. HCP must provide written proof of vaccination that documents the date of vaccination, vaccine formulation (i.e., brand), and name of provider administering the vaccine. This information will be filed along with any additional documentary proof of vaccination as part of the employee health record.

### **APPLICABILITY**

**9. Does this policy apply to IHS area employees?**

- This policy may apply to IHS Area employees. An Area employee who meets the definition of Health Care Personnel as defined by the policy must be vaccinated. Note that the definition includes employees who work “temporarily or occasionally” in an IHS health care facility. For example, an Area employee who visits health care facilities may be subject to the policy. The definition in the policy states: Health Care personnel are defined as all Civil Service employees, contract staff, temporary employees, students and volunteers whose duties and responsibilities require them to work permanently, temporarily or occasionally in an IHS health care facility are considered Health Care Personnel for the purposes of this policy, regardless of their job category or level of patient contact.

**10. Who is responsible for tracking influenza vaccination status of Area employees?**

- Responsibility for tracking influenza vaccination status for Area employees will vary depending on the Area. Each Area will need to designate a person to collect and track information for Area employees as outlined in the policy.

**11. Does this policy apply to non-clinical contractors who work in an IHS facility?**

- Yes. HCP are defined as all Civil Service employees, contract staff, temporary employees, students and volunteers whose duties and responsibilities require them to work permanently , temporarily or occasionally in an IHS health care facility regardless of their job category or level of patient contact.

**12. Does the policy apply to tribal/638 staff working in an IHS facility?**

- Yes. HCP are defined as all Civil Service employees, contract staff [including tribal/638 staff working in an IHS facility], temporary employees, students and volunteers whose duties and responsibilities require them to work permanently , temporarily or occasionally in an IHS health care facility regardless of their job category or level of patient contact. Tribal/638 staff working in an IHS facility are covered by this policy, but those staff working in non - IHS facilities are not covered by the policy.