

TO: All Employees

SGM 21-04

FROM: Acting Director

SUBJECT: COVID-19 Immunizations Requirement for Personnel Working in Indian Health Service Health Care Facilities

The purpose of this Special General Memorandum (SGM) is to establish an Indian Health Service (IHS) requirement for COVID-19 immunizations for all personnel working in an IHS health care facility. Pursuant to 25 U.S.C. § 1661, the Acting Director is responsible for the operation and maintenance of IHS facilities and is vested with the authority to issue this SGM to carry out such functions. In accordance with 42 C.F.R. § 136.3, the directives contained herein are operating procedures to assist officers and employees in carrying out their responsibilities, and are not regulations establishing program requirements that are binding upon members of the general public.

The IHS is the principal Federal health care provider and health advocate for American Indian and Alaska Native people. The Agency strives to raise the physical, mental, social, and spiritual health of American Indians and Alaska Natives to the highest level. In meeting this mission, we must first “do no harm” and ensure patient safety in all IHS facilities. As a priority, it is essential that we minimize the risk of transmission of illnesses to our patients, fellow employees, and communities.

The IHS has a long-standing history as a leader in vaccination rates. The Agency has required proof of immunization for measles and rubella as a condition of employment for all health care personnel since 1991.¹ We added seasonal influenza vaccines as a mandatory vaccination for all health care personnel in 2015. This SGM dictates that effective on the date of signature of this memorandum, all civil service employees, United States (U.S.) Public Health Service Commissioned Corps officers, contract staff, students, and volunteers (collectively, “health care personnel”) whose duties and responsibilities require them to work permanently, temporarily, or occasionally, in a federally-operated hospital, clinic, or health station (collectively, “IHS health care facility”), receive two doses of COVID-19 vaccine in a two-dose series, or one dose of COVID-19 vaccine in a single-dose by no later than October 1, 2021, or have on file a valid and approved exemption. This requirement applies to individuals at patient care facilities who are in contact with patients, or have the potential for contact with patients. While the vaccination requirement applies to all health care personnel performing duties at an IHS health care facility, the requirement may need to be implemented through appropriate mechanisms for certain personnel, such as contractors, students, and volunteers. Special considerations to the COVID-19 vaccination deadline may be extended by the Clinical Director.

¹Indian Health Manual Chapter 12 IHS Employee Immunization Program - http://www.ihs.gov/ihtm/index.cfm?module=dsp_ihm_pc_p1c12#1-12.1C.

COVID-19 vaccinations of health care workers is a new public health priority. Due to the recent COVID-19 surge and the availability of safe and effective vaccines, national health care organizations and societies have jointly issued a statement in support of mandatory vaccinations for health care workers.² Mandatory COVID-19 vaccination policies have been successfully used to achieve high vaccination rates. Mandatory vaccination policies have been successfully implemented in a growing number of private and public health care facilities.³

To minimize the risk of COVID-19 transmission to our patients and to maximize personal protection from infection, beginning immediately, every IHS health care facility will require the following:

1. All health care personnel must provide acceptable documentation substantiating COVID-19 vaccine receipt (both doses in a 2-dose series COVID-19 vaccine or 1 dose of a single dose COVID-19 vaccine) by no later than October 1, 2021, or have on file a signed request for a valid medical or religious exemption. Personnel routinely charged with infection control and/or employee health responsibilities at a health care facility are responsible for maintaining records of employee vaccination and medical and religious exemptions as part of the employee record.

A. Receipt of COVID-19 Vaccine:

- (1) COVID-19 Vaccine Administered Within IHS Facilities. COVID-19 vaccine will be offered free of charge to all health care personnel working in IHS health care facilities. When administered at the work site, the COVID-19 Vaccination Document Checklist⁴ should be utilized to document all required vaccine information, which should be placed in the employee's health record.
- (2) COVID-19 Vaccine Administered Outside IHS Facilities. Health care personnel who receive a COVID-19 vaccine elsewhere must provide a COVID-19 vaccination card that documents the individual's name, date of COVID-19 vaccination, product name/manufacturer, lot number, health care professional administering the vaccine and/or clinic site. This information will be filed along with any additional documentary proof of vaccination as part of the employee's health record.

² Joint Statement in Support of COVID-19 Vaccine Mandates for All Workers in Health and Long-Term Care - <https://leadingage.org/sites/default/files/Joint%20Statement%20on%20Vaccine%20Mandates.pdf>.

³ Sampling of health care systems with mandatory COVID-19 vaccination policies in effect:

1. Honor Health - <https://amp-azcentral-com.cdn.ampproject.org/c/s/amp.azcentral.com/amp/8078540002>.
2. Sanford Health - <https://www.startribune.com/dakotas-health-system-makes-covid-19-vaccinations-mandatory/600080465/>.
3. Banner Health - <https://amp-azcentral-com.cdn.ampproject.org/c/s/amp.azcentral.com/amp/8031756002>.

⁴ IHS COVID-19 Vaccination Document Checklist - https://www.ihs.gov/sites/coronavirus/themes/responsive2017/display_objects/documents/COVID_VaccinationChecklist-EmployeeVAMS.pdf.

B. Request for Exemption:

- (1) Medical Exemption from COVID-19 Vaccination. Any health care personnel requesting a medical exemption from COVID-19 vaccination must provide documentation, signed by a licensed, independent, health care practitioner that affirms that a valid medical contraindication exists that precludes COVID-19 vaccination by no later than October 1, 2021. Personnel routinely charged with infection control and/or employee health responsibilities at the facility will be designated to receive, review, approve, or deny medical exemption requests in accordance with current Centers for Disease Control and Prevention (CDC) recommendations, and maintain suitable records to document requests and outcomes. Each employee whose request for a COVID-19 medical exemption is denied will receive the following: a written justification for the denial; and a written request signed by the applicable Clinical Director that requires the employee to receive a COVID-19 vaccination within 4 calendar weeks of the denial notification.
 - (2) Religious Exemption from COVID-19 Vaccination. Any health care personnel who indicate their religious beliefs preclude COVID-19 vaccination must submit a signed, written statement justifying the request by no later than October 1, 2021. Health care personnel routinely charged with infection control and/or employee health responsibilities at a facility will be designated to receive, review, approve, or deny requests for religious exemption from COVID-19 vaccination, and maintain suitable records to document requests and outcomes. Supporting statements and approval of religious exemption requests from COVID-19 vaccination will be maintained as part of the employee's health record.
2. Health care personnel with a medical or religious exemption from COVID-19 vaccination will be required to wear a mask at all times while onsite and in the workplace except when eating or drinking, and to take any other necessary precautions as determined by the Clinical Director, including required COVID-19 testing.
3. All health care personnel will be provided access to COVID-19 vaccinations at no charge.
4. If, or when, additional COVID-19 vaccination doses are recommended and authorized by the CDC and the U.S. Food and Drug Administration, health care personnel will be required to receive COVID-19 "boosters" at the recommended interval.
5. Indian Health Service employees who refuse to comply with this requirement and do not have an approved medical or religious exemption are subject to disciplinary action in

accordance with U.S. Department of Health and Human Services and/or IHS policy and relevant sections of collective bargaining agreements as applicable. Indian Health Service employees who refuse to comply with this SGM will have that refusal documented and filed as part of the employee's record.

I am counting on your full support and the support of the IHS community to implement these important, new requirements throughout the Indian health system. Thank you for your support and cooperation.

/Elizabeth A. Fowler/
Elizabeth A. Fowler
Acting Director, Indian Health Service