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# Updates

## CMS COVID-19 Vaccination Mandate COVID-19 Healthcare ETS & OSHA COVID-19 Vaccination and Testing ETS

Provided by IRMS/ICT

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The following provides clarification and status of the two Emergency Temporary Standards (ETS) issued by OSHA along with the CMS Mandate.

**CMS Vaccination Mandate**: This rule requires all healthcare workers of Medicare and Medicaid certified hospitals and other healthcare facilities to be fully vaccinated unless they receive a medical or religious exemption. On 1/12/2022 the Supreme Court issued a **decision** allowing CMS to require this rule.

**OSHA COVID-19 Healthcare ETS**: This standard mandates that all hospitals and other specified healthcare facilities develop a COVID-19 Plan to protect healthcare workers from COVID-19 and was published on 6/21/2021. See **Summary COVID-19 Healthcare ETS** for the rest of the requirements.

Because OSHA did not finalize a permanent standard within 6 months, the **OSHA COVID-19 Healthcare ETS was withdrawn** on 12/21/2021. OSHA noted that it will continue to work toward issuance of a permanent rule and will continue to enforce the standard using the general duty clause. Also, please note that the rule requiring employers to **report COVID-19 work related fatalities and inpatient hospitalizations** as well as **maintaining the COVID-19 Log** are still in effect.

**OSHA COVID-19 Vaccination ETS**: This standard mandates vaccination and testing for workers at employers having 100 or more workers. This ETS **DOES NOT INCLUDE healthcare workers**. However, on 1/12/2022 the Supreme Court issued a **decision** blocking this standard from taking effect.

If you have questions regarding the information in this letter, please contact Mike Benedeck at 630-276-5646 or Deidre Harris at 630-276-5414 and we will be glad to assist you.