

## Important Information

Pursuant to [MD HEALTH GENERAL § 18-404\(b\)\(2\)](#), the Maryland Health Care Commission is advising all nursing homes that all health care workers (HCW) should be informed of the health benefits of receiving an influenza vaccine, and to the extent possible, should be vaccinated against influenza by December 1, 2021, unless excused by MD HEALTH GENERAL § 18-404(e). MD HEALTH GENERAL § 19-301(o)1: Related Institutions<sup>1</sup>

Facilities are strongly encouraged to offer vaccination to their staff and are required to maintain documentation of vaccination or declination for the annual MHCC influenza survey that will be conducted in April 2022. All facilities are required to complete the online survey beginning in April 2022.

The Maryland Nursing Home HCW Influenza Vaccination Survey reporting period runs from October 1, 2021 through March 31, 2022.

## Background:

Infection with seasonal influenza causes high morbidity and mortality **among** older adults. Persons aged 65 years and older account for 90% of the 36,000 deaths that occur from complications of influenza each year. Therefore, it is important that all HCWs get vaccinated to protect themselves, their families, and their patients from influenza.

Maryland nursing homes have submitted data on the influenza vaccination status of nursing home HCWs since 2009. The data collected is used to support the Medicaid Pay-For-Performance Program as well as to calculate vaccination rates for public report on the Maryland Quality Reports website.

Following are important points you need to know about the influenza reporting initiative:

### Important Points:

- 1) The MHCC requires Maryland nursing homes to report data on the number of paid, full-time and part-time employees and medical staff (defined as physicians, nurse practitioners, or physician assistants PAID by the nursing home) who received **any licensed, age appropriate influenza vaccination**<sup>1</sup> either at the nursing home (on-site) or off-site.
- 2) **The reporting period is October 1, 2021 – March 31, 2022.** All HCW of the nursing home who worked at least one day during the reporting period are included in the data to be reported. HCWs are defined as paid full-time and part-time nursing home employees whether they have direct patient contact. This also includes “PRN” employees, if paid by the nursing home, and medical staff paid by the nursing home. Paid medical staff

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<sup>1</sup> For the 2021-2022 U.S. influenza season, CDC and its vaccines advisory committee (ACIP) recommend that providers use any licensed, age-appropriate influenza vaccine (Inactivated influenza vaccines (IIV), Recombinant influenza vaccine (RIV), or live attenuated influenza vaccine (LAIV4) with no preference expressed for one vaccine over another. Source: [Frequently Asked Influenza \(Flu\) Questions: 2021-2022 Season | CDC](#)



includes full and part-time physicians, physician assistants, and nurse practitioners who receive compensation from the nursing home. Any HCW who falls under this description must be included in the data reported.

- 3) The flu vaccine obtained by the HCW must be vaccine released for the 2021-2022 influenza season.
- 4) In response to questions from some providers, we provide the following clarification of declination for medical reasons. To qualify as a medical reason for not receiving flu vaccine, the individual must have a documented medical contraindication **diagnosed by a physician or requiring medical treatment** such as a severe allergic reaction, severe egg allergy, severe reaction to any vaccine component, severe reaction after a previous dose of influenza vaccine, or a history of Guillian-Barre Syndrome.
- 5) The online survey will go live in early April 2022. Data for the reporting period, October 1, 2021 – March 31, 2022, must be submitted to MHCC via the online survey by May 15, 2022. The link and password to the online survey will be e-mailed to all nursing home facilities on April 5, 2022.
- 6) Nursing home beds located in an acute hospital [often called transitional care units (TCU) or sub-acute care] are required to complete the 2021-2022 Maryland Nursing Home Health Care Worker (HCW) Influenza Vaccination and Infection Control Survey. There are two options for reporting by the TCU:

First option: all hospital HCW vaccination rates are reported through the Centers for Disease Control (CDC) National Healthcare Safety Network (NHSN). A TCU may submit the data for all hospital staff prepared and submitted to NHSN for Section B of the Maryland Health Care Commission survey.

Second option: report only the staff assigned to the sub-acute or TCU unit in Section B.

Either option for inclusion of staff is acceptable; however, TCU must also complete Sections A and C of the survey.

- 7) The data collected in the 2021-2022 survey will be used in two ways.

First, the Medicaid Office of Long Term Care and Community Support Services will use the data on staff immunization rates to calculate nursing home scores for the Pay-for-Performance methodology. If you have questions about the Pay-for-Performance program, please contact Jane Sacco by email at [jane.sacco@maryland.gov](mailto:jane.sacco@maryland.gov).

Secondly, statewide and facility-specific staff immunization rates will be publicly reported on the Maryland Quality Reports website.

- 8) The MHCC has the authority (COMAR 10.24.03.02) to impose penalties of up to \$100 per day for long term care providers that fail to submit accurate, timely and complete data required by the Commission. Please be



aware that your facility influenza vaccination data for the 2021-2022 reporting period needs to be received by the MHCC by the due date of May 15, 2022 or penalties will be imposed.

9) MHCC strongly recommends that nursing homes retain documentation from HCWs who state they received vaccination off-site.

*Sample Survey Questions for the 2021-2022 Survey are on the following pages*



## Important Information

Infection with seasonal influenza causes considerable morbidity and mortality among older adults. Therefore, it is important that all health care workers (HCW) who work in long term care settings get vaccinated to protect themselves, their families and their patients from influenza. All Maryland nursing homes are required to report influenza vaccination status of all full-time and part-time employees and medical staff that are paid by the nursing home who worked at least one day in the nursing home between **October 1, 2021 and March 31, 2022. The completed online survey must be submitted to the MHCC by May 15, 2022.**

If you have questions regarding these reporting requirements or if you are unable to access the survey, please contact Julie Deppe at [Julie.deppe@maryland.gov](mailto:Julie.deppe@maryland.gov).

## Sample Survey Questions

***Important note: influenza vaccine received must be vaccine released for the 2021-2022 influenza season<sup>2</sup>.***

### Part A: Nursing Home Identification and Contact Information

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1. Nursing Home Name
2. Nursing Home ID
3. Medicaid provider number (9 digits)
4. Name of Person Completing Survey
5. Title of Person Completing Survey
6. Telephone Number
7. Email address

### Part B: Flu Vaccination Questions

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1. Total number of paid full-time and part-time employees and medical staff paid by the nursing home working between October 1, 2021 and March 31, 2022. \_\_\_\_\_  
(Enter the total number of employees; the number entered must equal the sum of items 2-5.)

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<sup>2</sup> For the 2021-2022 U.S. influenza season, CDC and its vaccines advisory committee (ACIP) recommend that providers use any licensed, age-appropriate influenza vaccine (Inactivated influenza vaccines (IIV), Recombinant influenza vaccine (RIV), or live attenuated influenza vaccine (LAIV4) with no preference expressed for one vaccine over another. Source: <https://www.cdc.gov/flu/season/faq-flu-season-2021-2022.htm>



2. Of the total number of paid staff listed in question 1, provide the number who received influenza vaccine (written documentation of off-site vaccination required). \_\_\_\_\_
3. Of the total number of paid staff listed in question 1, provide the number who did NOT receive influenza vaccine due to **medical contraindications diagnosed by a physician or requiring medical treatment** (including a severe egg allergy, severe allergy to any vaccine component, severe reaction after a previous dose of influenza vaccine, or a history of Guillain-Barre Syndrome). \_\_\_\_\_
4. Of the total number of paid staff listed in question 1, provide the number who did NOT receive influenza vaccine due to **religious** objections.  
\_\_\_\_\_
5. Of the total number of paid staff listed in question 1, provide the number who did NOT receive influenza vaccine due to other objections \_\_\_\_\_  
or \_\_\_\_\_  
no documentation of vaccination was provided \_\_\_\_\_

### Part C: Mandatory Vaccination Policy Questions

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6. For the purposes of this survey, a mandatory influenza vaccination policy is defined as a policy that requires HCW influenza vaccination as a condition of employment. Please check the one box that best describes your facility's current status relative to mandatory influenza vaccination of nursing home employees:
- \_\_\_\_\_ My nursing home has implemented a mandatory employee influenza vaccination policy.
- \_\_\_\_\_ My nursing home does not have a mandatory employee influenza vaccination policy but plans to implement one for the 2022-2023 flu season.
- \_\_\_\_\_ My nursing home has no immediate plans to implement a mandatory employee influenza vaccination policy.
7. If your nursing home has a mandatory influenza vaccination policy, how many staff were terminated, disciplined, resigned or stopped working as a result of refusing the flu vaccine? \_\_\_\_\_
8. What strategies does your nursing home employ to raise awareness and provide access to influenza vaccination for employees and others working in the facility? (Check all that apply)
- \_\_\_\_\_ Provide vaccinations onsite
- \_\_\_\_\_ Provide influenza vaccination free of charge to employees
- \_\_\_\_\_ Provide influenza vaccination free of charge or at reduced cost to non-employees (such as physician staff not paid by the nursing home, volunteers, or students).



- Distribution of educational material (including fliers, posters, leaflets, etc.) for influenza vaccination education
- Educational presentations to staff on the importance of influenza vaccination

9. What methods does your facility use to document influenza vaccination and declinations among employees? (Check all that apply)

- Employees required to provide written proof of offsite vaccination
- Employees required to provide physician documentation to support medical contraindications
- Employees sign a form when declining for medical contraindications
- Employees sign a form when declining for religious reasons
- Employees sign a form when declining for other reasons
- Documentation (if any items are checked) is kept with other employee records
- No documentation is required

10. What strategies are used to ensure compliance with your flu policy or in the absence of a mandatory policy to limit the spread of influenza in your facility? (Check all that apply)

- Termination of employment (if employee declines for reasons other than medical contraindication)
- Employee required to wear a face mask if not vaccinated
- Employee restricted to certain areas of the nursing home during flu season
- Impose disciplinary action for employee violations of not wearing face mask or not observing restriction to certain areas of the facility
- Non-employee (i.e. medical staff not paid by the facility or contracted staff) are required to wear a face mask
- Non-employee suspension of privileges
- None of the above is used
- Other (please specify)

11. For the purposes of this survey, a mandatory COVID19 vaccination policy is defined as a policy that requires HCW COVID19 vaccination as a condition of employment. Please check the one box that best describes your facility's current status relative to mandatory COVID19 vaccination of nursing home employees:

- My nursing home has implemented a mandatory employee COVID19 vaccination policy.



- \_\_\_\_\_ My nursing home does not have a mandatory employee COVID19 vaccination policy, but plans to implement one for the 2022-2023 flu season.
- \_\_\_\_\_ My nursing home has no immediate plans to implement a mandatory employee COVID19 vaccination policy.

12. If your nursing home has a mandatory COVID19 vaccination policy, how many staff were terminated, disciplined, resigned, or stopped working, as a result of refusing the vaccine? \_\_\_\_\_

COMMENTS:

\_\_\_\_\_

<sup>i</sup> §19-301(o)(1) "Related institution" means an organized institution, environment, or home that:

- (i) Maintains conditions or facilities and equipment to provide domiciliary, personal, or nursing care for 2 or more unrelated individuals who are dependent on the administrator, operator, or proprietor for nursing care or the subsistence of daily living in a safe, sanitary, and healthful environment; and
- (ii) Admits or retains the individuals for overnight care.