

**SCOPE:** For purposes of this policy, Louisiana Children’s Medical Center d/b/a LCMC Health (“**LCMC Health**”) includes LCMC Health and each of its member hospitals, facilities, subsidiaries, and affiliates, including:

Children’s Hospital and its affiliates,  
Touro Infirmary and its affiliates,  
University Medical Center and its affiliates, and  
West Jefferson Medical Center and its affiliates,  
New Orleans East Hospital and its affiliates, and  
East Jefferson General Hospital and its affiliates,  
LCMC Health Anesthesia Corporation (collectively “**LCMC Health**”).

Individuals covered under this policy include all employees of LCMC Health as well as all physicians, allied health professionals, advanced practice providers, contractors, contract workers, volunteers, residents/fellows, students and other learners, and any other individuals who perform services or engage in educational activities at or on behalf of LCMC Health (the “**Covered Individuals**”).

## **I. POLICY STATEMENT**

To create a safe environment, free of infection/transmission of disease and to protect our patients, employees, and the community from Sars-Cov-2 (COVID-19) infection, LCMC Health is requiring mandatory COVID-19 immunization of all Covered Individuals.

## **II. PROCEDURE**

- A. The implementation of this policy will be conducted in phases. In the event this policy is extended beyond the phases identified, it will be updated accordingly as additional phases are defined and implemented.
- B. The COVID-19 vaccine will be available free of charge to all Covered Individuals. The vaccination program will be coordinated through Employee Health. Covered Individuals will have the option of vaccination elsewhere from a third-party of their choice.
- C. Proof of vaccination by a third party submitted by a Covered Individual must include record of vaccine, the date of vaccination, lot number (should the lot be recalled), and the location where the vaccine was administered.
- D. In addition to the vaccination requirements above, all Covered Individuals are expected to comply with all other safety requirements defined for COVID-19 adopted by LCMC Health management, including potential additional COVID- 19 vaccinations and/or annual vaccinations.

- E. As described in this policy, LCMC Health will make reasonable accommodations for Covered Individuals who are unable to receive the COVID-19 vaccine because of a medical condition or sincerely held religious beliefs. Accommodations may include an exemption from the vaccination mandate or deferral of the deadline for obtaining the vaccine, unless such accommodation would pose an undue hardship on LCMC Health or present a direct threat to the health and safety of any employee, patient, or other individual present at LCMC facilities. In considering a requested exemption or deferral, LCMC Health will review all information submitted by the Covered Individual in support of the exemption or deferral. Depending on the individual circumstances, LCMC Health may communicate further with the Covered Individual regarding the basis for and scope of that person's needs, request information from third party healthcare providers or religious leaders, consult with relevant LCMC Health leaders or other administrators, and/or utilize other relevant resources in order to make an appropriate determination with regard to an exemption or deferral request.
- F. Phase 1:
1. Phase 1 includes:
    - a) All employees at manager level or above, and
    - b) All physicians (excluding residents/fellows) and advanced practice providers credentialed at any LCMC Health facility medical staff.
  2. Subject to the exemptions defined in this policy, all LCMC Health Phase 1 Covered Individuals who have not completed the vaccination process will be required to do so in accordance with the following schedule.
    - a) On or before **October 11, 2021**: Submit Medical or Religious Exemption Application.
    - b) On or before **October 22, 2021**:
      1. receive an authorized one-dose vaccine (e.g., J&J) or
      2. receive the first dose of an authorized two-dose vaccine or
      3. provide proof of vaccination by a third-party provider to Employee Health.
    - c) On or before **November 24, 2021**:
      1. Complete the second dose of the two-dose series vaccine or
      2. provide proof of vaccination by a third-party provider to Employee Health.
- G. Phase 2:
1. Phase 2 includes all employees not covered in Phase 1 and all contract and agency workers providing direct patient care.

2. Subject to the exemptions defined in this policy, all LCMC Health Phase 2 Covered Individuals who have not completed the vaccination process will be required to do so in accordance with the following schedule.
  - a) On or before **October 25, 2021**: Submit Medical or Religious Exemption Application
  - b) On or before **November 8, 2021**:
    1. receive an authorized one-dose vaccine (e.g., J&J) or
    2. receive the first dose of an authorized two-dose vaccine or
    3. provide proof of vaccination by a third- party provider to Employee Health.
  - c) On or before **December 13, 2021**:
    1. Complete the second dose of the two-dose series vaccine or
    2. provide proof of vaccination by a third- party provider to Employee Health.

H. Phase 3:

1. Phase 3 includes all contractors, contract workers, volunteers, residents/fellows, students and other learners and any other individuals who perform services or engage in educational activities at or on behalf of LCMC Health.
2. Subject to the exemptions defined in this policy, effective **December 30, 2021**, all Phase 3 Covered Individuals must be fully vaccinated for COVID-19 based on the standards adopted by LCMC Health management.
3. Documentation of Compliance for Phase 3 Covered Individuals:
  - a) Residents/fellows, students and other learners must comply with this policy and provide proof of full vaccination based on standards adopted by LCMC Health.
  - b) All vendors and agencies providing Phase 3 Covered Individuals must ensure these individuals (other than residents/fellows, students and other learners) are vaccinated according to the criteria above and must provide proof of vaccination status to LCMC Health upon request.
  - c) LCMC Health may create an audit process to monitor compliance for Covered Individuals whose proof of vaccination is not collected. Non-cooperation with the audit process may result in immediate removal of the individuals assigned to LCMC Health facilities.

- I. Individuals returning from leaves of absence, ending COVID-19 vaccine exemptions or deferments and new hires on or after **September 20, 2021** (“**Returning Employees/New Hires**”):
1. Prior to beginning or returning to employment, Returning Employees/New Hires must:
    - a) receive an authorized one-dose vaccine (e.g., J&J) or
    - b) receive the first dose of an authorized two-dose vaccine or
    - c) provide proof of vaccination to Employee Health.
  2. No later than 35 days from receiving the first dose of an authorized two-dose vaccine an Employee must:
    - a) Complete the second dose of the two-dose series vaccine or
    - b) provide proof of vaccination to Employee Health.
  3. Returning Employees/New Hires who seek a medical or religious exemption must submit such request in accordance with this policy no later than 14 days prior to beginning or returning to employment.
  4. Until 14 days after full vaccination based on standards adopted by LCMC Health, Returning Employees/New Hires must follow the protective measures prescribed for Nonvaccinated Covered Individuals with Medical or Religious Exemptions or Deferrals described below.
- J. Exemption Process and Protocols:
1. Exemption from vaccination may be granted for medical conditions and sincerely held religious beliefs which prohibit the Covered Individual from receiving the vaccine.
  2. Covered Individuals are required to submit an exemption request to Employee Health via the provided approved form, and any additional required certification that verifies the scope, reason for, and anticipated duration of the requested exemption or deferral. **Unless otherwise stated in this policy, such request shall be submitted at least two weeks prior to the applicable deadline for vaccination.**
  3. Medical Condition Exemption. Exemptions or deferrals may be granted where Covered Individuals are unable to get the vaccine due to a medical condition based on the most recent applicable health guidance. Covered Individuals requesting exemption or deferral because of a medical condition must obtain a medical certification from their healthcare provider supporting the medical need for an exemption or deferral.
  4. Religious Exemption. Exemptions may be granted if getting the vaccine

conflicts with the Covered Individual's sincerely held religious beliefs. Covered Individuals requesting such exemption will be required to provide an attestation explaining why they are seeking a religious exemption. They may also be required to obtain a certification from their religious leader or other individual who can attest that the Covered Individual's religious beliefs are sincerely held.

5. Covered Individuals will be notified within fourteen (14) days of submission of their application if it is approved or denied, and, if approved, of any restrictions or requirements they will be required to follow so long as they remain unvaccinated. If additional clarification is needed, Covered Individuals will be contacted within the same timeframe and are expected to provide the requested clarification to Employee Health within five (5) days, absent exceptional circumstances.
6. Approved exemptions or deferrals will only be valid for the year in which they were requested and/or the period for which the exemption is approved or the reason for the exemption persists. For example, if a deferral is submitted and approved due to a temporary condition, the employee will be required to obtain an extension of the exemption after the condition no longer exists. Currently, exemptions for any or all future years will require completion and submission of a ***Medical or Religious Exemption Application*** each year an exemption is requested.
7. Covered Individuals may be subject to discipline and/or termination (or removal from the facility as appropriate for non-employees) if they provide false or misleading information in an effort to demonstrate that they were vaccinated or are entitled to an exemption from the vaccination requirement.
8. Covered Individuals who are denied an exemption or deferment have 14 days from the date of the denial to:
  - a) receive an authorized one-dose vaccine (e.g., J&J) or
  - b) receive the first dose of an authorized two-dose vaccine or
  - c) provide proof of vaccination by a third- party provider to Employee Health.
9. No later than 35 days from receiving the first dose of an authorized two-dose vaccine an Employee must:
  - a) Complete the second dose of the two-dose series vaccine or
  - b) provide proof of vaccination by a third- party provider to Employee Health.

- K. Protective Measures for Nonvaccinated Individuals with Medical or Religious Exemptions or Deferrals and Returning Employees/New Hires who are not yet fully vaccinated for COVID-19 based on the standards adopted by LCMC Health management:

To ensure the safety of patients, employees, visitors, learners, students, contractors, and others from the risk of contracting COVID-19 at LCMC Health facilities, the following measures must be followed by all Covered Individuals who have received medical or religious exemptions or deferrals to the COVID-19 vaccine requirement, or who are Returning Employees/New Hires and not yet fully vaccinated for COVID-19 based on the standards adopted by LCMC Health management:

1. Nonvaccinated Covered Individuals must always wear an N95 mask or equivalent, except when breaking for lunch or drinking.
2. Nonvaccinated Covered Individuals who encounter patients and visitors, such as when providing direct patient care to ANY patient, or working in reception, cafeteria, and other public areas that serve patients and visitors, must also wear eye protection when working in these patient-facing areas or in any environment that does not allow for 6 feet of social distancing.
3. Additional Infection Control guidelines regarding rules for social distancing, lunches, lunch meetings, and other interactions with unvaccinated individuals are communicated from senior leadership and are expected to be followed by all Covered Individuals

- L. Consequences for Failure to Comply:

1. Employees.
  - a) Failure of any employee to comply with this policy may result in the employee being placed on unpaid suspension (PTO may not be used during this time) for up to 14 days so that the employee can come into compliance, and any misrepresentation of vaccine status or other misrepresentations will subject the employee to discipline, up to and including termination of employment.
  - b) Employees who come into compliance before the end of the applicable 14-day suspension period will be scheduled to return to work as soon as administratively possible based on department scheduling protocols.
  - c) Employees who are not in compliance with this policy at the conclusion of the 14-day suspension period may be terminated from employment by LCMC Health.

- d) Failure to comply with protective measure requirements (such as N95 masks and eye protection) by employees approved for a medical or religious exemption, deferment from vaccination, or Returning Employees/New Hires, will result in the following consequences:
  - 1. Progressive Discipline Steps for each incident of non-compliance:
    - a. Communication record of verbal warning for the first incident
    - b. Disciplinary counseling record for the second incident
    - c. Final disciplinary counseling record for the third incident
    - d. Termination for any additional occurrence
  - e) To support affected employees with getting used to this new safety protocol, a grace period will be in effect through **December 15**. A first violation during this period will be addressed through education and reminders of the requirement. Second violations during this period will result in progressive discipline starting with step (a) above.
  - f) Notwithstanding any other counseling procedure currently in place, employees who are instructed to follow the protective measures and refuse will be removed from the workplace and are considered insubordinate and in violation of this policy. Consequences for such insubordination and violation include, but are not limited to, disciplinary action up to and including unpaid suspension and/or termination.
- 2. Residents/fellows, students and other learners that fail to comply with this policy may not be permitted to train or rotate in any LCMC Health clinical learning environment.
- 3. Physicians and other providers holding privileges at a LCMC Health facility (excluding residents/fellows) that fail to comply with this policy may be referred to the appropriate credentialing office for review and action.
- 4. Contractors, contract workers and volunteers who fail to comply with this policy may not be permitted to perform services at any LCMC Health facility.

### **III. MANAGEMENT RESPONSIBILITIES**

- A. Ensure 100% of Covered Individuals are aware of this policy, the mandatory vaccine requirement, the exemption and/or deferment process, PPE and surveillance

monitoring protocols, key deadlines for their specific circumstances, and any applicable educational materials regarding the vaccine, as appropriate.

- B. Review periodic reports of each employee’s status regarding compliance in obtaining COVID-19 vaccination or approved exemption.
- C. Maintain the confidentiality of any medical information or information concerning vaccine status of employees. Such information should be treated as need-to-know only.
- D. Management should refrain from asking employees follow-up questions about their vaccine status that may tend to reveal a medical condition. If an employee indicates that they qualify for an exemption, the employee should be referred to the exemption process without being required to answer any further questions.
- E. Ensure all employees, vaccinated or not, are aware of any department specific requirements related to using protective equipment when performing certain job activities within the department or elsewhere within the facility to minimize health risks to patients, self, and others.
- F. Ensure all employees with an exemption follow any additional required restrictions, safety protocols, or safety requirements related to using protective equipment when performing certain job activities within the department or elsewhere within the facility to minimize health risks to patients, self, and others.
- G. Ensure all policy and procedural steps are followed as outlined in this policy including communicating and administering the “failure to comply” consequences in a timely and consistent manner.

#### **IV. COVERED INDIVIDUAL RESPONSIBILITIES**

- A. Ensure vaccination compliance by the stated deadline for the applicable implementation phase.
- B. For those employees with approved exemptions or deferments, comply with all job restrictions, safety protocols, and safety requirements as directed due to non-vaccinated status, and wear appropriate PPE specified for non-vaccinated employees, which include masks and face shields as directed by infection control, and other PPE designated by management and/or infection control.



- C. Follow all COVID related reporting and safety protocols, whether you are vaccinated or not.
- D. Monitor one's own compliance by ensuring documentation is submitted to Employee Health or other designated office by stated deadlines. Monitor one's emails for reminders and alerts regarding one's exemption or deferment status.
- E. Monitor email communications that are sent from LCMC Health to ensure understanding of up-to-the-minute changes regarding infection control requirements and surveillance monitoring, where applicable.

**V. EMPLOYEE HEALTH RESPONSIBILITIES**

- A. Provide, directly or through its designee(s), COVID-19 vaccinations to all requesting Covered Individuals during the designated timeframe.
- B. Maintain all records of COVID-19 immunizations and exemptions, ensuring timely input of compliance in appropriate management information systems.
- C. Ensure review of **Medical Exemption Applications** in a timely manner and coordinate responses and any clarifications as quickly as possible.
- D. Ensure new hires who are awarded exemptions or deferments complete the policy acknowledgement letter.
- E. Work with appropriate departments/resources to provide additional health education consultation regarding benefits of vaccination and appropriate provision of protective equipment for non-vaccinated individuals.
- F. Ensure that personnel outside of Employee Health who have been designated to administer LCMC Health COVID-19 vaccines follow the same protocols including completion of appropriate consent forms by everyone they vaccinate. These designated personnel are responsible for providing directly to a member of Employee Health the consent forms either via fax, email, or hand delivery (rather than through inter-office mail).

**VI. HUMAN RESOURCES RESPONSIBILITIES**

- A. Ensure review of **Religious Exemption Applications** in a timely manner and coordinate responses and any clarifications as quickly as possible.

- B. Participate in review of Request for Medical Exemption from COVID-19 Vaccination in a timely manner as needed.
  
- C. Monitor compliance reports from Employee Health and ensure suspension and termination (or site removal for non-employees) for non-compliance are followed in accordance with policy.