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PIN 22-05.2-ASC
Supersedes PIN 22-05.1-ASC

TO: ALL ADULT AND SENIOR CARE PROGRAM LICENSEES

FROM: *Original signed by Kevin Gaines*
KEVIN GAINES
Deputy Director
Community Care Licensing Division

SUBJECT: **UPDATED ADULT AND SENIOR CARE FACILITY WORKER
CORONAVIRUS DISEASE 2019 (COVID-19) VACCINATION,
BOOSTER, AND TESTING REQUIREMENTS**

Provider Information Notice (PIN) Summary

PIN 22-05.2-ASC supersedes [PIN 22-05.1-ASC](#), dated March 18, 2022, and notifies all Adult and Senior Care (ASC) licensees of updated COVID-19 vaccination, booster, and testing requirements for all workers in ASC facilities, pursuant to the State Public Health Officer Order of September 13, 2022.

Please post/keep this PIN in the facility where persons in care can easily access it and distribute the PIN Summary for Persons in Care (located at the end of this PIN) to persons in care and, if applicable, their representatives.

There has been a dramatic increase in the percentage of Californians that are fully vaccinated and boosted against COVID-19. Despite this increase, the Omicron subvariants have shown the ability to evade immunity conferred by past infection or vaccinations (i.e., immune evasion) and increased transmissibility. Unvaccinated individuals still have a higher risk of infection; however, previously infected, vaccinated, and boosted persons have also been infected.

Vaccination and boosters continue to remain the most important response for preventing serious illness and death from COVID-19. Workers in ASC facilities must continue to comply with all required primary series and vaccine booster doses as specified in this PIN.

As we continue to learn more about immunity, and what new variants may evolve, the California Department of Social Services (CDSS) will continue to reassess COVID-19 vaccine requirements and recommendations.

PUBLIC HEALTH OFFICER ORDERS

The [State Public Health Officer Order \(PHO\) of September 13, 2022](#), which became effective September 17, 2022, was issued pursuant to the authority in Health and Safety Code sections 120125, 120140, 120175, 120195 and 131080. The PHO of September 13, 2022 supersedes the PHO of September 28, 2021 Adult Care Facilities and Direct Care Worker Vaccine Requirement and:

- Requires all workers who provide services or work in ASC facilities to have their first dose of a one-dose regimen or their second dose of a two-dose regimen and updates timing of required booster doses consistent with current Centers for Disease Control and Prevention (CDC) guidance.
- Rescinds the testing requirement (except as specifically noted to comply with federal requirements) for workers exempt due to medical reasons or religious beliefs.
- Encourages licensees to continue to offer testing for facility staff according to recommendations from the California Department of Public Health (CDPH) and have the ability to ramp up testing at their facility, in the event of outbreaks or should testing be required again at a future date.
- Updates timing of required booster doses consistent with current CDC recommendations.

In addition, a [Questions & Answers](#) webpage is available to answer frequently asked questions related to the PHO.

High-risk congregate care settings must continue to comply with [CDPH Masking Guidance](#) and should [wear an effective mask correctly](#) to protect themselves and others. As a reminder, vaccination and boosters are in addition to this and other key measures such as testing, improved ventilation, and respiratory and hand hygiene.

Licensees should continue to follow guidance in all applicable CDSS [PINs](#) in addition to guidance or instructions from:

- Health care providers;
- [Centers for Disease Control and Prevention \(CDC\)](#);
- [California Department of Public Health \(CDPH\)](#);
- [California Department of Developmental Services \(CDDS\)](#);

- [California Department of Industrial Relations \(DIR/ Cal/OSHA\)](#); and
- [Local health departments](#).

*If there are differing requirements between the most current CDC, CDPH, CDSS, CDDS, Cal/OSHA, and local health department guidance or health orders, **licensees should follow the strictest requirements**. However, there may be times where a licensee will need to contact their Regional Office for assistance in reconciling these differences, especially if the strictest requirements appear to be in conflict with the best interest of persons in care.*

Vaccination and Booster Requirement for All Workers in ASC Facilities

Pursuant to the State Public Health Officer Order of September 13, 2022, all workers who provide services or work in ASC facilities licensed by CDSS and are not otherwise exempt continue to be required to have their first dose of a one-dose regimen or the second dose of a two-dose regimen. Two-dose vaccines include Pfizer-BioNTech, Moderna, Novavax, or vaccines authorized by the World Health Organization (WHO).

New workers who provide services or work in an ASC facility and are not otherwise exempt must be fully vaccinated** and, depending on the timing of their primary series, must be boosted. If they are not yet eligible to be boosted, they must be in compliance no later than 15 days after the recommended timeframe for receiving their booster dose, specified in the table, California Immunization Requirements for Covered Workers below.

**Individuals are considered fully vaccinated for COVID-19 two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech, Moderna, Novavax, or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen).

All COVID-19 vaccines that are currently authorized for emergency use or U.S. Food and Drug Administration (FDA)-approved can be found at the following links:

- [Vaccines by the FDA](#)
- [Vaccines by the WHO](#)

"Worker" refers to all paid and unpaid individuals who work in indoor settings where (1) care is provided to individuals, or (2) persons in care have access for any purpose. This includes workers serving in residential care or other direct care settings who have the potential for direct or indirect exposure to persons in care or COVID-19 airborne aerosols. Workers include, but are not limited to, direct supportive services staff, hospice providers, nurses, nursing assistants, physicians, technicians, therapists, waiver personal care services (WPCS) providers, in-home supportive services (IHSS) providers, registered home care aides, certified home health aides, students and

trainees, contractual staff not employed by the residential facility, and persons not directly involved in providing care or services, but who could be exposed to infectious agents that can be transmitted in the care setting (e.g., clerical, clergy, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, cosmetology, personal training and volunteer personnel).

California Immunization Requirements for Covered Workers

COVID-19 Vaccine	Primary vaccination series	When to get the vaccine booster dose	Which vaccine booster dose to receive
Moderna, Pfizer-BioNTech, Novavax, or vaccines authorized by WHO	1st and 2nd doses	Booster dose at least 2 months and no more than 6 months after 2nd dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose. However, either Moderna or Pfizer-BioNTech are preferred.
Johnson and Johnson [J&J]/Janssen	1st dose	Booster dose at least 2 months and no more than 6 months after 1st dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose. However, either Moderna or Pfizer-BioNTech are preferred.
WHO emergency use listing COVID-19 vaccine	All recommended doses	Booster dose at least 2 months and no more than 6 months after getting all recommended doses	Single booster dose of Moderna or Pfizer-BioNTech COVID-19 vaccine.
A mix and match series composed of any combination of FDA-approved, FDA-authorized, or WHO-EUL COVID-19 vaccines	All recommended doses	Booster dose at least 2 months and no more than 6 months after getting all recommended doses	Single booster dose of Pfizer-BioNTech COVID-19 vaccine

Note: Novavax is not authorized for use as a booster dose at this time.

Workers who provide proof of COVID-19 infection after completion of their primary series may defer receiving their booster dose for up to 90 days from date of their first positive test or clinical diagnosis. To provide proof of prior infection, workers must provide documentation of previous diagnosis from a healthcare provider or confirmed laboratory results. Workers not yet eligible for their booster must be in compliance no later than 15 days after the recommended timeframe for receiving a booster dose in the table above. Workers who defer receiving their booster dose due to a proven COVID-19 infection must comply no later than 15 days after the date their deferral expires.

Testing for Workers in ASC Facilities

The PHO rescinds the testing requirement (except as specifically noted to comply with federal requirements) for workers exempt from vaccination due to medical reasons or religious beliefs.

Pursuant to [updated CDC guidance](#), the PHO also indicates that screening testing of persons who are asymptomatic for COVID-19 with no known exposure is no longer recommended for general community settings, but may still be considered for high-risk settings. Licensees may also still consider various strategies for screening testing workers (point in time testing, serial testing, etc.) and based on concerning levels of transmission locally. Workers may also consider continuing routine diagnostic screening testing if they have underlying immunocompromising conditions (e.g., organ transplantation, cancer treatment), due to the greater risks such individuals face if they contract COVID-19. **If screening testing is continued or implemented, it should include all workers, regardless of their vaccination status, given the recent variants and subvariants with significant immune evasion.**

Licensees should maintain testing capacity at their facilities or workers should continue to test as recommended or required during outbreaks and in the event testing is required again at a future date.

EXEMPTIONS TO VACCINATION AND BOOSTER REQUIREMENT

Workers may be exempt from the vaccination requirements only upon providing the licensee a declination form, dated and signed by the individual stating either of the following:

- (1) The worker is declining vaccination based on Religious Beliefs, or
- (2) The worker is excused from receiving any COVID-19 vaccine due to Qualifying Medical Reasons.

To be eligible for a Qualified Medical Reasons exemption, the worker must also provide to their employer a written statement dated and signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician stating that the individual qualifies for the exemption (but the statement

should not describe the underlying medical condition or disability) and indicating the probable duration of the worker's inability to receive the vaccine (or if the duration is unknown or permanent, so indicate).

If a worker is considered to have met the requirements of an exemption pursuant to this section or a booster-eligible worker has not yet received their booster dose as specified in the section titled *Vaccination and Booster Requirement for All Workers in ASC Facilities* above, the worker must observe all other infection control requirements, including masking, when entering or working in the facility. The worker must wear a surgical mask or higher-level respirator approved by the National Institute of Occupational Safety and Health (NIOSH), such as an N95 filtering facepiece respirator, at all times while in the facility.

RECORDKEEPING OF WORKER VACCINATION AND EXEMPTION STATUS

Consistent with applicable privacy laws and regulations, the licensee must maintain records of workers' vaccination or exemption status. Licensees must have a plan in place for tracking verified facility staff vaccination status. If workers have not yet received their booster dose, licensees also should maintain records of the workers' COVID-19 testing results, if applicable. Licensees must provide such records to the local or state Public Health Officer, the California Department of Social Services, or their designee promptly upon request, and in any event no later than the next business day after receiving the request.

Facility staff who are not fully vaccinated and boosted, or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated.

For more information regarding recordkeeping see [PIN 21-32.1-ASC](#) for residential facilities and [PIN 22-23-ASC](#) for Adult Day Programs.

Vaccinated Workers

Pursuant to the [State Public Health Officer Order \(PHO\) of September 13, 2022](#), licensees must maintain records with the following information:

- (1) Full name and date of birth;
- (2) Vaccine manufacturer; and
- (3) Date of vaccine administration (for first dose and, if applicable, second dose and booster dose).

CDSS recommends the [following options be used as proof of COVID-19 vaccination](#):

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided, and date doses administered; OR

- A photo of a vaccination card as a separate document; OR
- A photo of the client's vaccine card stored on a phone or electronic device; OR
- Documentation of vaccination from a healthcare provider; OR
- [Digital record](#) that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

Exempt Workers

If the worker is an unvaccinated exempt worker as described in the *Exemptions to Vaccination and Booster Requirement* section above, the licensee must maintain signed declination forms of unvaccinated workers with a written health care provider's statement where applicable, as described in *Exemptions to Vaccination and Booster Requirement* section above.

Nothing in the State Public Health Officer Order limits other applicable requirements related to Personal Protective Equipment, training, and infection control policies and practices.

Licensees are encouraged to provide easy access to nearby vaccinations, use of work time to get vaccinated, and education and outreach on vaccinations.

For more information about this State Public Health Order, please visit the [CDPH Public Health Order Questions & Answers webpage](#).

ADDITIONAL RESOURCES

The following resources are available online:

- Centers for Disease Control and Prevention (CDC)
 - [Coronavirus Disease 2019](#)
 - [Summary of Guidance for Minimizing the Impact of COVID-19 on Individual Persons, communities, and Health Care Systems – United States, August 2022](#)
- California Department of Social Services (CDSS)
 - [Community Care Licensing Division homepage](#) (includes all COVID-19 related materials (Provider Information Notices (PINs) and other resources)
- California Department of Public Health (CDPH)
 - [All COVID-19 Guidance](#)
 - [Find a Testing Location](#)
- [Local health departments](#)

If you have any questions, please contact your local [ASC Regional Office](#).

PIN Summary for Persons in Care

A Companion Guide for Provider Information Notice (PIN) 22-05.2-ASC, Updated Adult and Senior Care (ASC) Facility Worker Coronavirus Disease 2019 (COVID-19) Vaccination, Booster, and Testing Requirements

The California Department of Social Services (CDSS) has prepared this **PIN Summary for Persons in Care** as a companion to **PIN 22-05.2-ASC** to inform you of guidance we have provided to your care providers concerning your care.

Vaccines and boosters continue to remain the most important response for preventing serious illness and death from COVID-19. Workers in ASC facilities must continue to comply with all required primary series and vaccine booster doses as specified in this PIN.

PIN 22-05.2-ASC notifies the licensee of your facility that the [State Public Health Officer Order \(PHO\) of September 13, 2022](#), effective September 17, 2022, which supersedes the PHO of September 28, 2021 Adult Care Facilities and Direct Care Worker Vaccine Requirement, requires that workers currently eligible for boosters, who provide services or work in indoor settings in ASC facilities, be fully vaccinated and receive a booster dose for COVID-19 based on when they receive their primary vaccination. The PHO also comes with an associated [Question & Answers](#).

VACCINATION AND BOOSTER REQUIREMENTS FOR ALL WORKERS IN ASC FACILITIES

The PHO requires all workers who provide services or work in ASC facilities licensed by CDSS and are not otherwise exempt continue to be required to have their first dose of a one-dose vaccine or their second dose of a two-dose vaccine.

Workers not yet eligible for their boosters must receive their vaccine booster dose no later than 15 days after the recommended timeframe specified in the table, California Immunization Requirements for Covered Workers, below.

California Immunization Requirements for Covered Workers

COVID-19 Vaccine	Primary vaccination series	When to get the vaccine booster dose	Which vaccine booster dose to receive
Moderna, Pfizer-BioNTech, Novavax, or vaccines authorized by WHO	1st and 2nd doses	Booster dose at least 2 months and no more than 6 months after 2nd dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose. However, either Moderna or Pfizer-BioNTech are preferred.
Johnson and Johnson [J&J]/Janssen	1st dose	Booster dose at least 2 months and no more than 6 months after 1st dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose. However, either Moderna or Pfizer-BioNTech are preferred.
WHO emergency use listing COVID-19 vaccine	All recommended doses	Booster dose at least 2 months and no more than 6 months after getting all recommended doses	Single booster dose of Moderna or Pfizer-BioNTech COVID-19 vaccine.
A mix and match series composed of any combination of FDA-approved, FDA-authorized, or WHO-EUL COVID-19 vaccines	All recommended doses	Booster dose at least 2 months and no more than 6 months after getting all recommended doses	Single booster dose of Pfizer-BioNTech COVID-19 vaccine

Note: Novavax is not authorized for use as a booster dose at this time.

Workers who had a recent COVID-19 diagnosis may defer their booster dose for up to 90 days from the date of their first positive test or clinical diagnosis. In these circumstances, workers must get their booster dose no later than 15 days after their 90-day deferral expires.

TESTING FOR WORKERS IN ASC FACILITIES

The PHO removes the testing requirement for workers exempt from vaccination due to medical reasons or religious beliefs. However, if a licensee opts to continue or implement screening testing, it should include all workers, regardless of their vaccination status. The licensee of your facility may also still consider ways for screening testing workers and based on concerning levels of transmission locally, or for individuals who have underlying immunocompromising conditions (e.g., organ transplantation, cancer treatment).

Licensees should maintain testing capacity at their facilities or workers should continue to test as recommended or required during outbreaks and in the event testing is required again at a future date.

EXEMPTIONS TO VACCINATION AND BOOSTER REQUIREMENT

Workers may be exempt from the vaccination requirements only if they provide a signed and dated form to the licensee of your facility stating either of the following:

- (1) The worker is declining vaccination based on Religious Beliefs, or
- (2) The worker is excused from receiving any COVID-19 vaccine due to Qualifying Medical Reasons.

Unvaccinated exempt workers and workers who are fully vaccinated but have not yet received a booster dose must observe all other infection control requirements, including masking, in order to enter or work in the facility. These workers must also wear a surgical mask or higher-level respirator at all times while in the facility.

Your care providers, the licensee of your facility, and your local Long-Term Care [Ombudsman](tel:1-800-510-2020) (call 1-800-510-2020) are available to answer your questions.