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ADVISORY

To: MA Licensed Ambulance Services
From: Abdullah Rehayem, Director
Date: November 20, 2009
Re: Influenza Vaccination of EMTs Working for MA Ambulance Services **with Contracts** with Massachusetts Licensed Clinics, Dialysis Centers, Hospitals and/or Long-Term Care Facilities

This Advisory is to notify **ambulance services that hold contracts with MA licensed clinics, dialysis centers, hospitals and/or long-term care facilities** (nursing homes and rest homes), hereinafter referred to as "health care facilities", that on November 18, 2009, the Public Health Council (PHC) approved amendments to the regulations for these health care facilities that affect you and your EMTs. Under the amended regulations, these health care facilities must ensure that all personnel who are employed by or associated with the facility (including via contract with an entity, such as an ambulance service) are offered vaccination against seasonal influenza no later than December 15, 2009 and annually thereafter. The regulations also authorize the Commissioner to issue guidelines to require these health care facilities to offer personnel employed by or affiliated with the facility vaccination against novel or pandemic viruses such as influenza A H1N1, and the Commissioner has done so. For ambulance services with contracts with health care facilities in Massachusetts, the flu vaccination requirement applies to its personnel who enter or work at these health care facilities – including EMTs.

The regulations require health care facilities to provide or arrange for vaccination of all personnel who cannot provide proof of current immunization against influenza, at no cost to the personnel, unless the vaccine is medically-contraindicated for that individual, or if the individual declines vaccination. Personnel may decline vaccination for any reason, but they must sign a declination form. In the case of a contracted entity's personnel who work at or enter a health care facility – such as EMTs working for contracted ambulance services – a health care facility may "arrange for" vaccination by requiring that the contractor ambulance service attest to the vaccination status of its EMTs. The ambulance service must attest that it maintains a central system for tracking the individual vaccination status of affected personnel, including declination forms, and must make this information available to a health care facility or to the Department, upon request. A sample declination form is attached to this letter.

The arrangement for vaccination of EMTs should be documented and agreed upon by the ambulance service and health care facility, and must ensure compliance with the Department's regulations. For instance, a facility and ambulance service may agree to require that the contracted ambulance service will assume the cost of vaccinating its EMTs against seasonal influenza, at no charge to the EMTs, unless the EMT declines vaccination. The ambulance service would then also assume responsibility for maintaining the required documentation of vaccination or declination.

With regard to H1N1 flu vaccine, as you know, the Department and the Regional EMS Councils will continue to provide H1N1 vaccine free of charge to all EMTs working with ambulance services in the Commonwealth, as vaccine becomes available. However, for seasonal flu vaccine, the arrangement or agreement between a health care facility and ambulance service may require a contracted ambulance service to assume the cost of providing seasonal flu vaccine to its EMTs.

The revised regulations are effective December 11, 2009. The regulations and guidance from the Department require health care facilities to ensure that all personnel are vaccinated with seasonal and H1N1 influenza vaccine by December 15, 2009, when feasible. However in the **event of unavailability of vaccine, the regulations require health care facilities to obtain and administer vaccine as soon as it becomes available.** Ambulance services should maintain documentation of efforts to obtain vaccine and to comply with the vaccination requirement.

Background – Vaccination of Healthcare Workers

A seasonal flu vaccination requirement already existed in the regulations for long-term care facilities, but the language of the regulations was changed to make it consistent across licensed health care facilities. In addition, the amendments added allowing the Commissioner to issue guidelines as necessary to require long-term care facilities licensed by the Department to ensure that employees and other personnel of contracted entities who enter these facilities are vaccinated against other novel/pandemic influenza virus(es) as vaccines become available, such as H1N1.

These regulations are part of the effort to protect workers in health care settings and the patients they care for by making influenza vaccination readily available to personnel working at or coming to a health care facility. Influenza vaccination is a highly effective method of preventing influenza virus infection and its potentially serious complications among health care workers and patients.

The Department has developed a coordinated plan to address the unique challenges presented by the emergence of the novel H1N1 virus while continuing to prepare for seasonal influenza. An essential component of this initiative is to ensure that health care workers and consequently their patients are protected from seasonal and H1N1 influenza viruses by being vaccinated.

If you have questions about these regulatory amendments, please contact DPH.DHCQ@massmail.state.ma.us

Thank you for your attention to this important matter and for your ongoing efforts to meet the health care needs of Massachusetts residents.

Attachments:

- A. November 18, 2009 Amendments
- B. Sample Influenza Vaccine Declination Form
- C. Link to Sample Vaccination Declination Tracking Form:
http://www.mass.gov/Eeohhs2/docs/dph/quality/hcq_circular_letters/flu_all_attachment_c.rtf
- D. Link to Partial List of Seasonal Flu Vaccine Distributors:
http://www.mass.gov/Eeohhs2/docs/dph/quality/hcq_circular_letters/flu_all_attachment_d.rtf