

California Mandates COVID-19 Booster for Workers in Health Care, Adult Care Facilities and Direct Care by February 1, 2022

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Over the summer as California saw a rise in COVID-19 cases, the California Department of Public Health (CDPH) issued orders mandating vaccinations of [health care workers](#) and [workers in adult care facilities and direct care workers](#).

With cases again on the rise, the state has issued two, updated mandates that cover: (1) health care workers; and, (2) adult care facilities and direct care workers. Under the updated orders, covered employees will be required to get their booster shot for the COVID-19 vaccine by **February 1, 2022**.

[Health Care Worker Vaccine/Booster Requirement](#)

Under the health care worker order, workers for the following facilities are covered by the order:

- General Acute Care Hospitals
- Skilled Nursing Facilities (including Subacute Facilities)
- Intermediate Care Facilities
- Acute Psychiatric Hospitals
- Adult Day Health Care Centers
- Program of All-Inclusive Care for the Elderly (PACE) and PACE Centers
- Ambulatory Surgery Centers
- Chemical Dependency Recovery Hospitals
- Clinics & Doctor Offices (including behavioral health, surgical)

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- Congregate Living Health Facilities
 - Dialysis Centers
 - Hospice Facilities
 - Pediatric Day Health and Respite Care Facilities
 - Residential Substance Use Treatment and Mental Health Treatment Facilities

“Worker” for purposes of this order is defined as all paid and unpaid individuals who work in indoor settings where care is provided to patients or patients have access for any purpose. Per the order, this includes workers who have the potential for direct or indirect exposure to patients, and includes nurses, nursing assistants, physicians, technicians, therapists, phlebotomists, pharmacists, students, contractual staff not employed by the facility directly, and persons not directly involved in patient care, but who could be exposed to infectious agents that can be transmitted in the health care setting (e.g., clerical, dietary, environmental services, laundry, security, engineering, and facilities management, administrative, billing, and volunteer personnel).

See [CDPH Questions & Answers: Health Care Worker Vaccine Requirement](#) for additional guidance.

[Adult Care Facilities and Direct Care Worker Vaccine/Booster Requirement](#)

Under the adult care facilities and direct care order, the following workers are covered:

- All workers who provide services or work in Adult and Senior Care Facilities licensed by the California Department of Social Services;
- All in-home direct care services workers, including registered home care aides and certified home health aides, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
- All waiver personal care services (WPCS) providers, as defined by the California Department of Health Care Services, and in-home supportive services (IHSS) providers, as defined by the California Department of Social Services, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
- All hospice workers who are providing services in the home or in a licensed facility; and
- All regional center employees, as well as service provider workers, who provide services to a consumer through the network of Regional Centers serving individuals with developmental and intellectual disabilities, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services.

Under this order “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 SARS-CoV-2 airborne aerosols.

Workers include, but are not limited to, direct supportive services staff, hospice providers, nurses, nursing assistants, physicians, technicians, therapists, WPCS providers, 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).

See [CDPH Questions & Answers: Adult Care Facilities and Direct Care Worker Vaccine Requirement](#) for additional guidance.

Both orders indicate that all workers must be fully vaccinated and boosted, pursuant to timelines set forth in the applicable order. Those workers currently eligible for booster doses per the timelines set forth in the orders must receive their booster dose by no later than February 1, 2022. Workers not yet eligible for a booster must be in compliance no later than 15 days after the recommended timeframe.

Under both orders, workers may be exempt from the vaccination requirements upon providing the employer a declination form, 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 (additional obligations may apply for a written statement from a physician). If the employee is exempt under either basis, there are testing and masking obligations that the employee must meet and other requirements.

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