

# What do the end of COVID-19 regulations mean for employers and healthcare facilities?

Article By:

Anthony J. Judice

---

While we collectively breathe a sigh of relief that COVID-19 hospitalization and death rates are on a decreasing trend, we all must prepare for the changes in our workplaces now that the regulations are winding down. On May 11, 2023 two COVID-19 emergency regulations, the Public Health Emergency (PHE) of January 2020 and the National Emergency of March 2020, ended. The announcement came just days after the World Health Organization released a statement that the COVID-19 no longer constitutes a public health emergency of international concern. As we move into a post-pandemic environment, here are some changes that employers may need to know:

## Testing and Vaccinations

During the public health emergency, both lab and over the counter COVID-19 tests were available at no cost to the consumer, however some aspects of this are changing. Under the CARES Act, insurance plans were required to cover tests and vaccines without a co-pay. After May 11, 2023, private insurance companies were no longer required to cover COVID-19 tests without cost sharing for out-of-network testing and vaccines. COVID-19 drugs such as Paxlovid and Lagevrio remain free while government-purchased supplies in the Strategic National Stockpiles last. After these are exhausted, the price will be set by drug manufacturers and the cost/co-pay to consumers will be determined by insurance companies. This is all very important information for employers to consider when continuing or implementing new COVID-19 policies that require testing or rely on the free nature of COVID-19 drugs.

## COVID-19 Reporting

The CDC has replaced its reporting of COVID-19 Community Levels with COVID-19 Hospital Admission Levels—i.e., how many COVID-19 cases are being admitted and how many beds are left. This means that hospitals and medical facilities will still be required to report as per directives from the CMS, but private labs are no longer required to report positive tests. The CDC has encouraged private labs to sign data use agreements to continue sharing both infection and vaccination rates.

OSHA has yet to update its guidance on COVID-19 in the workplace. Therefore, while employers await new information, they are still required as per OSHA rules in 29 CFR 1904 to record work-related cases of COVID-19 on OSHA's Form 300 logs if there is a confirmed, work-related

COVID-19 case that satisfies one or more of its [recording criteria](#) (e.g., days away from work, medical treatment beyond first aid). Employers should also continue to report COVID-19 outbreaks, hospitalizations, and fatalities until further guidance is issued.

## What's Next?

- Even though the PHE has ended, employers are still permitted to maintain efforts to keep themselves and their employees healthy (i.e. COVID-19 policies).
- Employers should continue to follow the OSHA guidance until an update is provided.
- Prepare for changes to group health insurance plans now that regulations prohibiting cost-sharing for vaccines and testing have ended.

*Summer associate Krystel G. Becker contributed to this blog.*

©2025 Strassburger McKenna Gutnick & Gefsky

---

National Law Review, Volume XIII, Number 186

Source URL: <https://natlawreview.com/article/what-do-end-covid-19-regulations-mean-employers-and-healthcare-facilities>