

***The Least You Need to Know:***

**CMS has rescinded the COVID-19 vaccine mandate regulations.** During the PHE, after vaccinations became widely available, CMS published regulations that mandated that all health care providers must be either vaccinated for the COVID-19 virus, or, they must have a valid exemption in place of the vaccine. This was a part of the survey process, and agencies had to track the vaccine status of all of their team members.

CMS has released a new final rule, on 5/31/23 which is due to be published on June 5<sup>th</sup>, 2023 in the Federal Register. This rule specifically rescinds the Conditions of Participation (COP) that was added to all provider types under the Condition of Infection Control. This rule fulfills CMS promise they made earlier in May when they announced that with the end of the PHE, the vaccine mandate was no longer a survey issue, and forthcoming rule changes would be coming to rescind the applicable COPs.

**Anything Else Important?**

This rule has rescinded all of the language regarding a vaccine mandate in the COP, found at: 418.60d for hospice, and 484.70d for home health. CMS did go onto state that they encourage health care providers to continue to educate and encourage vaccination both for their patients and their staff.

CMS has also said they are considering a quality process measure that would monitor and encourage vaccination of patients.

**Actions of a Prudent Hospice Agency™**

**ONE.** Review your current policy on the COVID -19 vaccine. Modify as needed.

**TWO.** Continue to encourage and educate staff on the safety and importance of the COVID19 vaccine.

**THREE.** Update new hire process. Remove the mandate

**Link to More Info****Read the Rule**

<https://www.federalregister.gov/public-inspection/2023-11449/medicare-and-medicaid-pro>

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