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SAPC INFORMATION NOTICE 23-03
Supersedes IN 22-18 and IN-22-11

April 4, 2023

TO: Los Angeles County Substance Use Disorder
SAPC – All Service Providers

FROM: Gary Tsai, M.D., Division Director 
Substance Abuse Prevention and Control

SUBJECT: **COVID-19 VACCINATION REQUIREMENTS AND RESPONSIBILITIES**

On February 28, 2023, California Governor Gavin Newsom issued a proclamation terminating the state's [COVID-19 State of Emergency](#). Additionally, the State has issued a [Smarter Plan](#) to address our next phase of the COVID-19 pandemic and provides general guidance on how to navigate future COVID-19 surges or variants.

The County of Los Angeles Department of Public Health's (Public Health) Division of Substance Abuse Prevention and Control (SAPC) is issuing Information Notice #23-03 to provide updates to requirements and responsibilities for all SAPC service providers and their staff performing duties as part of any SAPC contracts and/or agreements (e.g., Memorandum of Understanding) related to COVID-19 masking, vaccinations, isolation, CROP payments, and reporting requirements. Public Health requirements may exceed those outlined under the [State of California Department of Health Care Services \(DHCS\) Behavioral Health Information Notice No. 23-014](#) and the [California Department of Public Health \(CDPH\)](#). Please refer to the most current [County of Los Angeles Department of Public Health Order of the Health Officer](#) for the most updated local requirements.

Vaccination Requirements

All staff working under a Public Health contract or agreement must be fully vaccinated according to the *Primary Vaccination Series* column in the following *Immunization Requirements* table below. This applies to all SAPC provider personnel who: (1) interact in-person with County employees, interns, volunteers, and commissioners; (2) work on

County owned or controlled property while performing services under a County contract or agreement; and/or (3) come into contact with the public while performing services under a contract and/or agreement with the County.

Unvaccinated or partially vaccinated staff may not provide direct services under any Public Health and SAPC contract or agreement. This includes, but is not limited to the following groups of agencies: Prevention, Driving Under the Influence (DUI), Engagement and Overdose Prevention Hubs (formerly known as syringe exchange programs), Client Engagement and Navigation Services (CENS), and treatment programs, as well as consultants or subcontractors performing duties on behalf of SAPC or its contractors and providers.

Booster Requirements

All health care workers currently eligible for boosters, including those that work in a SAPC treatment setting, must be both fully vaccinated **and** boosted for COVID-19, receiving all recommended doses of the primary series of vaccines and a vaccine booster dose pursuant to the *Immunization Requirements* table below.

Immunization Requirements

COVID-19 Vaccine	All Contractor Staff	All Contractor Staff Working in Substance Use Disorder (SUD) Treatment Settings	
	Primary vaccination series	When to get the vaccine booster dose	Which vaccine booster dose to receive
Moderna, Pfizer-BioNTech, or Novavax	1st and 2nd doses	Booster dose at least two (2) months and not more than six (6) months after 2nd dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose, but either Moderna or Pfizer-BioNTech are preferred. Novavax is not authorized for use as a booster dose at this time.
Johnson and Johnson [J&J]/Janssen	1st dose	Booster dose at least two (2) months and not more than six (6) months after 2nd dose	Any of the COVID-19 vaccines authorized in the United States may be used for the booster dose, but either Moderna or Pfizer-BioNTech are preferred. Novavax is not authorized for use as a booster dose at this time.
World Health Organization (WHO) emergency use listing COVID-19 vaccine	All recommended doses	Booster dose at least two (2) months and not more than six (6) months after getting all recommended doses	Single booster dose of Pfizer-BioNTech COVID-19 vaccine. Novavax is not authorized for use as a booster dose at this time.

<p>A mix and match series composed of any combination of the Food and Drug Administration (FDA)-approved, FDA-authorized, or WHO-EUL COVID-19 vaccines</p>	<p>All recommended doses</p>	<p>Booster dose at least two (2) months and not more than six (6) months after getting all recommended doses</p>	<p>Single booster dose of Pfizer-BioNTech COVID-19 vaccine. Novavax is not authorized for use as a booster dose at this time.</p>
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Exemptions

SAPC provider personnel may be exempt from the vaccination requirements only upon providing their employer (i.e., SAPC provider agency) 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 a Qualifying Medical Reason.

To be eligible for a Qualified Medical Reasons exemption the worker must also provide their employer (i.e., SAPC provider agency) a written statement 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). SAPC provider agencies shall maintain a copy of these signed declination forms and written health care provider’s statement. See the most updated version of the [Center for Disease Control and Prevention’s Clinical Considerations for Use of COVID-19 Vaccines](#) for further information.

SAPC provider personnel who are not fully vaccinated and boosted within the timeframes described in the above immunization requirements **and** who have been granted a valid medical or sincerely held religious belief exemption to vaccination by their employer 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 SAPC provider agency facility.

COVID-19 Testing

SAPC provider agencies should continue to conduct COVID-19 testing as recommended during outbreaks, in alignment with current State and Local Health Officer Orders. Additionally, SAPC providers must continue to report COVID-19 cases as described in [SAPC Information Notice 22-01](#). SAPC provider agencies may consider various screening testing strategies (point in time testing, serial testing, etc.) and based on concerning levels of transmission locally. SAPC provider personnel may also consider 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.

During the periods of time when testing is required, SAPC provider agencies must retain all testing documentation for their exempt personnel, which shall be made available to the County upon request.

All SAPC provider personnel must follow the latest guidance from the State and Local Health Officer Orders. In addition, Healthcare Facilities must follow the State All Facilities Letter [Guidance on Quarantine for Health Care Personnel \(HCP\) Exposed to SARS-CoV-2 and Return to Work for HCP with COVID-19](#).

Vaccine Verification

In accordance with all applicable privacy laws, regulations, and [CDPH Guidance for Vaccine Record Guidelines & Standards](#), providers must document and retain verification of the employee's vaccination status and any corresponding testing results. Documentation includes but is not limited to: 1) full name and date of birth; 2) vaccine manufacturer; 3) date of vaccine administration (for first dose and, if applicable, second dose); and 4) date of vaccine booster administration (if applicable).

Only the following forms of verification will be allowed:

1. Official COVID-19 Vaccination Record Card (issued by the California Department of Health and Human Services, Centers for Disease Control and Prevention [CDC] or World Health Organization [WHO] Yellow Card which includes: 1) the name of person vaccinated; 2) the type of vaccine provided; and 3) the date the last dose was administered); OR
2. A photo of a Vaccination Record Card as a separate document; OR
3. A photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
4. Documentation of COVID-19 vaccination from a health care provider; OR
5. 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; OR
6. Documentation of vaccination from other contracted employers who follow the California Department of Public Health vaccination records guidelines and standards.

Compliance Requirements

As a condition of Public Health and SAPC contracts and/or agreements, providers must submit the [Certification of Compliance Form**](#) and attest to mandating staff vaccinations, and when applicable boosters, and identifying any staff who are not fully vaccinated and/or received any required booster as described herein. Providers who do not submit the required certification will be considered in breach of their contract and/or agreement terms and provisions. Providers must establish a policy detailing the organization's

process to ensure compliance with this information notice, DHCS, and CDPH guidance. The policy must include the following key areas:

- Vaccine requirements
- Booster requirements
- Criteria for exemptions (if applicable)
- Unvaccinated staff requirements (if applicable)
- Vaccine and testing resources
- Record/Documentation requirements

Providers will also be required to sign the attached attestation form confirming adherence and implementation of the vaccine and booster policy. Providers must be prepared to provide all requested documentation confirming vaccinations and/or exemptions to local, County, and/or State representative(s) or their designee(s) upon request within one (1) business day after receiving the request.

***Note: The [Certification of Compliance Form](#) applies to all contractors and providers performing work on behalf of all County Departments.*

Masking

All staff working in healthcare settings, including SUD treatment sites, who provide direct patient care or work in a patient care area, must wear a mask regardless of vaccination status until further notice, per [DHCS BHIN 23-014](#) and per the latest [LA County DPH Health Officer Order](#).

Effective 4/3/2022, patients and visitors within healthcare settings are strongly encouraged but no longer required to wear a mask. Additional requirements outlined in any LA County DPH updated Health Order must also be adhered to.

COVID-19 Residential Outbreak Payments (CROP)

Effective immediately, SAPC Information Notice 22-11, "COVID-19 FEDERAL PUBLIC HEALTH EMERGENCY – RESIDENTIAL AND INPATIENT OUTBREAK PAYMENTS" has sunsetted and SAPC will no longer be issuing any CROP payments or accepting any CROP submissions.

Resources

Below are additional resources that providers may find helpful:

- [Los Angeles County Department of Public Health COVID-19](#)
- [California Department of Public Health \(CDPH\) - State of Public Health Officer Order effective April 3, 2023 \(March 3, 2023\)](#)
- [CDPH Public Health Order Health Care Worker Vaccine Requirement FAQs](#)

- [LA County Health Officer Health Care Worker Vaccination Requirement](#)
- [CDPH Masking Guidance](#)
- [CDPH Guidance for Vaccine Records Guidelines & Standards \(May 2, 2022\)](#)
- [FDA COVID-19 Vaccines Webpage](#)
- [CDPH Guidance for the Use of Masks \(March 3, 2023\)](#)
- [CDPH Get the Most out of Masking](#)
- [CDPH Masking Guidance Frequently Asked Questions](#)
- [CDPH COVID-19 Testing Programs](#)
- [Interim Guidance for Ending Isolation and Precautions for People with COVID-19](#)
- [Los Angeles County Department of Public Health Guidelines for COVID-19 Cases \(Isolation\) and Close Contacts](#)
- [Los Angeles County Department of Public Health Prevention Guidance for Healthcare Personnel](#)
- [CDPH Responding to COVID-19 in the Workplace for Employers](#)

Effective Period and Next Steps

While this policy is effective immediately, SAPC understands that this change may have a significant impact on your agency's ability to perform essential contracted services amid staffing shortages.

Before your agency takes any action on the employment status of workforce members performing services under a SAPC contract or agreement as a result of this information notice, please contact your assigned Contract Program Auditor with copy to Marika Medrano at mmedrano2@ph.lacounty.gov and include information on your particular circumstances to obtain additional guidance.

If your agency has not yet provided the required [Certification of Compliance Form](#), or if your agency needs to provide SAPC an *updated* Certification form, it must be submitted to your Contract Program Auditor as soon as possible, but no later than close of business on **Monday, April 17, 2023**.

Please contact your assigned Contract Program Auditor for additional information.

GT:mm

Attachment