



## Long-Term Care Regulatory Provider Letter

|  |
|--|
| <b>Number:</b> PL 2021-11  |
| <b>Title:</b> Mitigation of Staffing Shortages: Vaccinated Staff             |
| <b>Provider Types:</b> Home and Community Support Services Agencies (HCSSAs) |
| <b>Date Issued:</b> March 24, 2021   |

### 1.0 Subject and Purpose

This letter provides guidance to HCSSAs on responding to staffing shortages, including the use of fully-vaccinated staff as appropriate. This guidance should be used by HCSSAs in determining the appropriateness of allowing a fully-vaccinated staff member who has had a higher-risk exposure to COVID-19, but who is asymptomatic to continue to work. HCSSAs are unique in that services are provided by a mobile workforce in multiple settings, including licensed facilities and congregate living. Thus, safeguards in addition to those recommended by the CDC are appropriate for the HCSSA industry to ensure health and safety for vulnerable clients and the community.

### 2.0 Policy Details & Provider Responsibilities

Mitigation strategies offer a continuum of options for addressing staffing shortages. Contingency and then crisis strategies are meant to be considered and implemented sequentially (i.e., implementing contingency strategies before crisis strategies).

When staffing shortages are anticipated, HCSSAs should first use contingency strategies to plan and prepare for mitigating this problem, such as implementing back-up services and hiring additional staff.

If staffing shortages are reaching a crisis level, HCSSAs should implement crisis strategies, one of which is described in this provider letter.

## 2.1 Definitions

In this provider letter, the following terms apply:

- **Fully vaccinated** means two weeks *after* the second dose of a two-dose series (e.g., Pfizer or Moderna vaccines) or two weeks *after* a single dose vaccine (e.g., Johnson & Johnson's Janssen vaccine).
- **Higher-risk exposure** means prolonged exposure (a cumulative time period of 15 or more minutes during a 24-hour period) to clients with COVID-19 infection when the staff member's eyes, nose, **or** mouth are not covered.

## 2.2 Staffing Shortage Crisis Strategy

For HCSSAs experiencing crisis-level staffing shortages, the [Centers for Disease Control and Prevention \(CDC\) has provided guidance](#) to allow asymptomatic, fully vaccinated staff who have had a higher-risk exposure to COVID-19 but are not known to be infected to continue to work throughout their 14-day post-exposure period. If permitted to work, the CDC recommends implementing the following transmission-based precautions:

- The staff should report temperature and absence of symptoms each day before starting work (i.e., staff screening).
- If staff develop even mild symptoms consistent with COVID-19, they should either not report to work, or stop working and remove themselves from close proximity with clients and notify their supervisor or administrator prior to leaving work.
- The staff should be tested and, if found to be infected with COVID-19, the staff should be excluded from work until they meet all [Return to Work Criteria](#).

If a HCSSA chooses to follow the CDC guidance above, then the HCSSA must also take *additional transmission-based precautions*, which include:

- The staff must use full PPE, including an N95 mask throughout the 14-day post-exposure period.
- The HCSSA must implement COVID-19 testing strategies for such staff.

The HCSSA should consider human resources policies that allow for staff to not work when risks cannot be mitigated and if staff become symptomatic.

### **3.0 Background/History**

The CDC provides new and updated guidance for the general public and for health care personnel. In some situations, HHSC has determined that additional or clarifying guidance should be included to accommodate the unique operations of HCSSAs as well as the clinical and nonclinical categories of services provided by HCSSAs.

### **4.0 Resources**

None

### **5.0 Contact Information**

If you have any questions about this letter, please contact the Policy and Rules Section by email at [LTCRpolicy@hhs.texas.gov](mailto:LTCRpolicy@hhs.texas.gov) or call (512) 438-3161.