

Residential Care COVID-19 Vaccinations
Status Information Order (Oct 6, 2021)
and

Residential Care Staff COVID-19
Preventive Measures Order (Oct 4, 2021)

Question & Answer

October 8, 2021

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Information About the Residential Care COVID-19 Vaccinations Status Information Order

1. What is the Residential Care COVID-19 Vaccination Status Information Order?

- The Residential Care COVID-19 Vaccination Status Information Order, released October 6, 2021, replaces the previous COVID-19 Vaccination Status Information and Preventive Measures order first released Friday, August 20, 2021, and subsequently updated.
- The status information order sets out requirements for residents and staff to provide personal information to enable verification of their vaccination status, and to collect a clear data set related to vaccination coverage in the residential care sector for important public health planning.

2. What is required under the status information order?

- The status information order is publicly posted at [Residential Care COVID-19 Vaccination Status Information Order](#).
- Under the status information order, operators will collect: name, birthdate and personal health number for:
 - Residents,
 - Staff providing direct care, including registered nurses, licenced practical nurses and health care aides, and
 - Staff providing support services such food services and housekeeping.
- Where facilities engage third-party contracted staff, those contractor employers are required to submit the necessary information to operators for staff whose information has not already been submitted.
- Operators are required to enter the information being collected into the reporting portal, where it will be linked to the Provincial Immunization Registry to generate the vaccination status of those people listed above.
- This information is to be updated as new staff are hired and residents cease to reside in the facility or new residents are admitted.
- The information collected into the reporting portal creates a comprehensive data picture of vaccination rates in the long term care sector, and enables operators to understand the vaccination status of their staff.
- Additionally, the status information order authorizes the use of the Workplace Health Indicator Tracking and Evaluation database to allow operators to verify staff vaccination status to facilitate operations, and clarifies other acceptable proof of vaccination.
- The order also confirms expectations about operator responsibility to destroy personally identifying data collected through this process.

3. What facilities does the status information order apply to?

- The status information order applies to long-term care facilities, private hospitals, stand alone extended care hospitals, and assisted living residences for seniors.
- If you are uncertain whether employees and residents at your facility are covered by the Order, you should discuss this with your regional health authority contact.

4. Why has the PHO determined this is required?

- These facilities are home to some of our most vulnerable citizens who are at risk of serious complications from COVID-19.
- Given the outbreaks in long-term care and seniors' assisted living facilities and the impact of the pandemic on residents as well as staff, the province is committed to ensuring all appropriate steps are taken to protect those working and living in these settings.
- We are encouraging everyone, especially residents, staff and volunteers to get fully vaccinated for COVID-19 for their own and other people's protection – especially those who can't be due to medical reasons.
- It is critically important for public health officials to know and understand individuals' vaccination status at a facility/site level, so that in the event of an outbreak, public health and the facility operator can proactively plan for how to respond and manage residents and staff to reduce transmission.

5. Who/which staff does the status information order pertain to?

- Under the status order, operators will collect: name, birthdate and personal health number for:
 - Residents
 - Staff providing direct care, including registered nurses, licenced practical nurses and health care aides.
 - Staff providing support services such food services, housekeeping, and maintenance

6. What do I do if the reporting portal is showing a different vaccine status than the staff member claims?

- If the system is successful in matching the staff or resident but the vaccination status does not appear correct, the individual in question (i.e. staff or resident) will need to personally submit a request (or a family member on their behalf in some resident cases) to have it corrected in the provincial system.
- To do so they should visit: <https://www.immunizationrecord.gov.bc.ca>
- While the record is in the process of being corrected, staff who can produce official documentation demonstrating they are fully vaccinated are not subject to rapid testing at each shift. However, they should take steps to correct the immunization registry through the process at <https://www.immunizationrecord.gov.bc.ca> as quickly as possible.

7. What about other health care practitioners?

- If requested by an operator, other health care practitioners must provide their vaccine card to the operator.

8. What about staff on leave?

- Employers are required to make best efforts to collect and provide information about staff on leave.

9. Why aren't all health care providers included in the status information order?

- This is a starting point due to high risk in these settings. Other health care settings are under consideration.

Reporting Portal and Employer Reports

10. Where can I get information about how to use the Vaccine Reporting Portal?

- Please refer to the attached Vaccine Reporting Portal User Guide for information. To access attachments, please click the paperclip icon to the left.



Vaccine Reporting
Portal User Guide v1

- The Ministry of Health also hosted a webinar demonstrating the use of the reporting portal. A recording of the webinar is available at <https://www.youtube.com/watch?v=M-b9z5djNWo>.
- Requests for additional support can be forwarded to VaccPortalSupport@gov.bc.ca

11. What is the process to collect vaccination information and report it to public health?

- Facility operators will collect resident and staff legal names, personal health numbers and dates of birth. That information will be entered into the Vaccine Reporting Portal by a limited number of identified users at each facility. The information entered into the Portal will be cross referenced with the Provincial Immunization Registry to confirm vaccination status.
- This information must be updated when there are staffing or resident changes.

12. Who are the users of the Vaccine Reporting Portal and how is access obtained?

- Facility Operators must authorize a maximum of two users that require access to the Portal for each facility. Operators are required to select individuals who are responsible for:
 - Uploading data to the Portal for staff changes (e.g., departures or new hires);
 - Changes in resident status (e.g., deaths or new admissions);
 - Records management (e.g., resolution of data errors); and
 - Communicating with staff the requirements to be met under the Order.
- Users must be those who would already have access to this type of information as part of the regular scope of their role.

- Prior to using the reporting portal, operators must fill in the Vaccine Reporting Portal – Approved User Access List (Spreadsheet). To access attachments, please click the paperclip icon to the left.



Vaccine Reporting
Portal - Approved U:

- Completed spreadsheets that have been approved by the authorized site leadership are to be submitted to VaccPortalSupport@gov.bc.ca .
- As a reminder, in order to complete the access request, each person listed on the Approved User Access List must click the link below and conduct a first logon attempt with the same credentials as provided in the spreadsheet.

Portal Access: <https://ltcemployers.gov.bc.ca/login>

- From there a ministry staff person will be able to cross-reference the requests to ensure only approved users are gaining access to the system. The target timeline for completing this step of the validations is 24hrs from the time both steps outlined above are complete.
- Once you are able to successfully access the system, you will then be able to complete the data upload of all applicable residents and staff.

13. Can one user upload data for multiple facilities?

- Yes, uploading of data for more than one facility by a single user has been enabled. Please note, data must be uploaded for individual sites, and cannot be uploaded for all sites assigned to a single user within one bulk upload.

14. How long do I have to upload the resident and staff information?

- It is expected that operators/employers will upload the requested information by September 8, 2021. Following this, it is expected that operators/employers will add or archive information as required on a regular basis, such as when staff leave their employment with the facility, new staff are hired, when residents are admitted, missing staff information is gathered.
- Detailed instruction on the use of the reporting portal is available through the User Guide attached. To access attachments, please click the paperclip icon to the left.



Vaccine Reporting
Portal User Guide v1

Point of Care Testing

15. What is the purpose of POC testing?

- Rapid point of care (POC) screening helps to identify individuals without symptoms who do not know they are infected with COVID-19.

16. How do I access and learn more about setting up POC testing required by the order?

- Facilities will be provided with an information package regarding ordering test kits, support, training, and reporting of POC testing.
- Additional information about point of care testing is available on the [BC Rapid COVID-19 Point of Care Screening Program website](#).
- Health authority owned/operated and contracted facilities can contact their health authority for more information.
- Fully private facilities can contact RapidPOCTeam@phsa.ca for more information.

17. What support will I have in setting up POC testing?

- Health authorities will be responsible for ensuring that their owned/operated and contracted facilities are set up to deliver this service. Health authority Lab Directors are able to support training, oversight, and quality assurance for screening in these facilities.
- Fully private facilities will be supported by [British Columbia's Rapid Point-of-Care Screening Program](#), administered by the Provincial Health Services Authority. The BC Centre for Disease Control will provide training and information about quality assurance.
- As per the order, operators and employers are responsible for ensuring their staff are undergoing a rapid POC test at every shift.

Compliance

18. What if staff refuse to provide their personal health number?

- Refusal to provide a PHN is a contravention of a public health order under the *Public Health Act*, and may result in disciplinary consequences under employer policies. Staff who refuse to provide their PHN to public health officials to verify their COVID-19 vaccination status will be considered unvaccinated and subject to the preventive measures that apply to all unvaccinated staff pending the deadline for full vaccination.

19. Will there be a centralized process for grievances?

- Employers are responsible for responding to grievances filed by their employees. HEABC members are responsible for notifying HEABC regarding grievances related to the status information order and working with HEABC in addressing those grievances. Non-HEABC members should use their existing processes. We would encourage these employers to notify the Ministry of grievances via VaccPortalSupport@gov.bc.ca.

Information about the Residential Care COVID-19 Preventive Measures Order (Preventive Measures Order)

20. What is the Residential Care COVID-19 Preventive Measures Order ?

- On October 4, 2021, the COVID-19 Residential Care Staff Preventive Measures Order (issued September 2, 2021) was replaced with the Residential Care COVID-19 Preventive Measures Order. The new Order revises the timeline and some requirements for staff vaccination status, and includes requirements for preventive measures until staff are fully vaccinated (previously included in the COVID-19 Vaccination Status Information and Preventive Measures Order, issued September 27, 2021).
- The Preventive Measures Order requires all health care staff who work in BC's long-term care or senior's assisted living facilities to be vaccinated against COVID-19. The timing depends on when the staff member is hired (see Question 23).
- Implementation of this order will mitigate risks for breakthrough COVID-19 infections affecting residents and staff of long-term care and assisted living facilities. Vaccination of all staff and residents is the best means to protect the residents from infection, severe illness, and possible death.

21. Which types of facilities are governed by the Order?

- The same facilities affected by the Residential Care COVID-19 Vaccination Status Information Order are also affected by the Preventive Measures Order.
- The Order will apply to long-term care, private hospitals, stand-alone extended care hospitals designated under the *Hospital Act*, and assisted living residences which provide regular assistance with activities of daily living. This includes health authority owned and operated, affiliate, and privately-run care facilities.
- The Order does not apply to hospices, Community Living BC (CLBC), youth or adult group homes, or extended care units within acute care hospitals.
- As of October 4, the Order no longer applies to provincial mental health facilities.

22. Which staff does the Preventive Measure Order apply to?

- Staff member is defined as: a person employed by the operator of a facility to work in a facility, or a person employed by a contractor to work in a facility under contract, and a medical practitioner who is in either an employment or contractual relationship with an operator, which requires the medical practitioner to work in a facility
- Staff are subject to Section A (Vaccination schedule pertaining to the first dose), Section B (preventive measures), Section C (exemption procedure) and Section D (preventive measures applicable to new staff).
- This includes administrative staff and support service staff (e.g., food service, housekeeping, and maintenance).

If an Adult Day Program Staff provides service within LTC & AL facilities, then this staff will be subject to mandatory vaccination, consistent with other “existing employees” at facilities affected by the Order.

Outside health care or personal care providers

The order also applies to outside health care or personal care providers (Section F) defined as: a medical practitioner, nurse, physiotherapist, occupational therapist, home support worker, faculty member of a health care or personal care educational or training facility, emergency medical assistant present in a facility on a non-urgent basis, patient transport worker or any other non-staff member who provides health care or personal care to a resident, but does not include a visitor

- Prior to October 26, an outside health care or personal care provider must show proof of vaccination or implement preventive measure. On and after October 26, outside health care or personal care providers who do not show proof of vaccination or have a valid exemption will not be permitted in the facility.

Outside support or personal care service providers

- The order applies to outside support or personal care service providers (Section G) who are defined as a volunteer, hired companion, barber, hairdresser, nail esthetician or any other non-staff member who provides personal support or a personal service to a resident.
- As of October 4, those who do not show proof of vaccination or have a valid exemption will not be permitted in the facility.

Other outside providers

- The order applies to other outside providers (Section H, I, J, K), who are defined as any persons other than a resident, staff member, visitor, outside health care provider, outside personal care provider, outside support provider or outside personal service provider, who is in a facility, and includes an entertainer, animal therapy provider or maintenance person.

Regular other outside providers who have close contact with residents

- As of October 4, those who do not show proof of vaccination or have a valid exemption will not be permitted in the facility.

Regular other outside providers who do not have close contact with a resident

- Prior to October 26, an outside health care or personal care provider must show proof of vaccination or implement preventive measure. On and after October 26, outside

health care or personal care providers who do not show proof of vaccination or have a valid exemption will not be permitted in the facility.

Occasional other outside providers who have close contact with a resident

- Prior to October 26, an outside health care or personal care provider must show proof of vaccination or implement preventive measure. On and after October 26, outside health care or personal care providers who do not show proof of vaccination or have a valid exemption will not be permitted in the facility.

Occasional other outside providers who do not have close contact with a resident

- As of October 4, must show proof of vaccination or implement preventive measures.

23. When do employees affected by the Order need to be fully vaccinated?

- Staff members who have not yet received their first dose should seek to do so immediately.
- Staff hired between October 12-26 must have one dose of vaccine, be seven days post one dose, follow preventive measures and must get the second dose 28-35 days after the first dose. Preventive measures include:
 - Wear medical masks at all times in the facility (as per the Ministry's *Mask Use in Health Care Facilities During the COVID-19 Pandemic* policy) and additional personal protective equipment as clinically indicated for individuals on precautions, when at risk of contamination due to splashing of body fluids or when required by a point-of-care risk assessment to protect against the normal hazards encountered in the regular course of work;
 - Undergo regular rapid point-of-care [COVID-19 testing](#) at their facility every shift.
 - In the event of a positive result, the staff will leave the facility and get a polymerase chain reaction (PCR) test completed.
 - Staff will be required to notify their employer/operator of the result and follow the direction of public health, including self-isolation and seek medical attention as required.
- Staff who receive one dose prior to October 12 can work if they follow preventive measures but must get a second dose between 28 to 35 days after the first dose.
- Staff who are ineligible to work after October 12 because they did not get a first dose and then decide to get one before October 26th can work seven days after their first dose, and must follow preventive measures. They must receive a second dose between 28 to 35 days after the first dose.
- Staff who are ineligible to work after October 12 because they did not get a first dose and then decide to get one, can work seven days after their first dose, and must follow preventive measures. They must receive a second dose between 28 to 35 days after the first dose.
- Anyone hired after October 25 must be fully vaccinated.

- Staff who are confirmed to have a medical exemption request in process with the PHO must follow preventive measures while a decision is pending.

24. Will an employee be required to be fully vaccinated if they already had contracted COVID-19 in the past and had since recovered?

- All employees, including those who had previously contracted COVID-19, must comply with the Order.

25. How long will the Preventive Measures Order be in effect?

- The mandatory COVID-19 vaccination requirement does not have an expiration date. The Order will be in place until the Provincial Health Officer or her delegate amends or rescinds the Covid-19 Residential Care Staff Preventive Measures Order.

Compliance & Employer Response Planning

26. If an employee does not comply with the vaccination requirements set out by the Order after the October 12 deadline, what course of action should the employer take?

- Refusal to comply with a Public Health Officer order issued under the *Public Health Act* constitutes contravention to the *Act*, and may be subject to disciplinary action up to and including termination.
- For HEABC members, HEABC has issued guidance on their members' website.
- For non-HEABC members, the Ministry of Health, in conjunction with the health authorities, has and continues to communicate similar guidance.
- A request inbox [VaccPortalSupport@gov.bc.ca], monitored by the Ministry of Health, is available for operators and employers for relevant information.

27. What processes or initiatives are in place to ensure staffing levels will remain adequate across care facilities?

- Health authorities and private care facility operators are expected to have contingency plans to address potential staffing shortages, in the event that staff decline to receive their COVID-19 vaccination.
- The Ministry of Health will work with health authorities and facility operators to provide timely information on the progress towards full vaccination of the health sector staff.
- Operators of sites under contract to deliver care for the health authorities should build their contingency plans in consultation with their regional health authority.

28. Should facilities suspend upcoming admissions to maintain staffing levels?

- Care facility operators should comply with all funding, regulatory and public health requirements in determining the actual capacity of the facility.
- Contingent on vaccination rate and anticipated staffing levels, the regional health authority may issue direction to support contingency planning.

- A document outlining contingency planning considerations has been shared to support operators and health authorities if required to respond to critical staffing levels.

29. On what legal grounds are employers permitted to give effect to the PHO Orders (i.e., mandatory COVID-19 vaccination) without mutual agreement?

- Employers are required to follow all legislation and regulations, including PHO Orders.

30. How will an operator or employer be supported in the event of a legal challenge on grounds of human rights and freedom by an employee, employee union, or third party?

- All operators/ employers are required to comply with PHO orders irrespective of threatened legal action by individuals.
- The Attorney General's office will address any legal challenges brought against the PHO, or to the validity of the PHO Orders.
- If an HEABC member employer receives any grievances or other notices of legal action/human rights complaints, the employer should contact their HEABC representative for advice.

31. How will non-HEABC members obtain the necessary communication, guides, and standards related to implementation of the order and how to deal with litigation by employees or unions?

- The Ministry of Health, in conjunction with the health authorities, will provide additional guidelines.
- A request inbox [VaccPortalSupport@gov.bc.ca], monitored by the Ministry of Health, is available for operators and employers for relevant information that is not addressed in this document or other communications.

Exemptions from Mandatory Vaccination

32. For which reasons can an employee request an exemption to the Mandatory Vaccination order?

- Under section 43 of the *Public Health Act*, a person who is subject to an Order of the Provincial Health Officer can submit a request for reconsideration (exemption) from an Order's requirements.
- The PHO order states that "A request for reconsideration for the purpose of seeking a medical exemption must include a signed and dated statement from a medical practitioner, based upon a current assessment, that the health of the person would be seriously jeopardized if the person were to comply with the Order, and a signed and dated copy of each portion of the person's health record relevant to this statement."
- To be considered for an exemption you will likely have had a dose of vaccine and experienced a serious adverse event or have a pre-existing medical condition the warrants

being exempted for a period of time. It is important to note that being exempted from a PHO order requirement is not equivalent to a permanent deferral to being vaccinated. Some people for whom a vaccination deferral has been recommended may get a dose at a later date.

- For more information, please see *Guidelines for Request for Reconsideration (Exemption) Process* on the [PHO website](#).

33. What steps do I need to take if an employee requests an exemption? Is there a standardized form?

- The employee requesting an exemption must notify their employer to ensure the employer is aware so that they can assist with managing the situation.
- The PHO and/or local medical health officer will confirm that the employee's exemption request has been received.
- Once a decision is made, the employer will be informed of the outcome of the exemption request directly by the PHO or local medical health officer and the required risk reduction measures, if applicable.
- As per Section C.1.b. of the Preventive Measures Order:
 - "An unvaccinated staff person who has made a request for an exemption and provided a signed and dated statement from a medical practitioner, based upon current assessment, that the health of the person would be seriously jeopardized if the person were to comply with the Order, and a signed and dated copy of each portion of the person's health record relevant to this statement, may work in a facility, if the staff member complies with the preventive measures in Part B, until their request is responded to by me or the medical health officer."

Question Employees May Ask

34. I have a pre-existing health condition which does not allow me to be vaccinated against COVID-19. What is the process for requesting exemption?

- Please visit the PHO website and read the *Guidelines for Request for Reconsideration (Exemption) Process* and the *Medical Deferral Form*.

35. Will I be eligible for Employment Insurance (EI) benefits or another benefit if my employment is suspended/terminated because I do not wish to receive the COVID-19 vaccine?

- Please see Service Canada guidelines for conditions for EI eligibility.