

## Vaccination Requirement FAQ

**1. How is the State of Rhode Island implementing a vaccination requirement for health care workers and RIDOH-licensed health care facilities?**

The authority for RIDOH to issue this emergency regulation is in Rhode Island General Laws § 23-1-1 and 23-1-17. Under this regulation, individuals who work in RIDOH licensed health care facilities and licensed health care providers must be vaccinated. Unlicensed individuals at private, non-facility employers are strongly encouraged but not required to be vaccinated.

**2. Who is included in the regulation?**

All individuals who work in RIDOH-licensed health care facilities *and* all licensed health care providers, whether they work in a licensed facility or not, are covered by the regulation. "Health care worker" means any person who is temporarily or permanently employed by or at, or who serves as a volunteer in, or has an employment contract with, a RIDOH-licensed health care facility, and has or may have direct contact with a patient in that health care facility. "Health care provider" means any person licensed by RIDOH to provide or otherwise lawfully providing health care services. For a more comprehensive list of persons who may fall into these categories, please refer to the regulation [here](#).

**3. What are the facilities covered by this regulation?**

"Health care facility" means a facility as defined in [R.I. Gen. Laws § 23-17-2\(8\)](#), as well as assisted living residences, as defined in [R.I. Gen. Laws § 23-17.4.-2\(4\)](#), adult daycare programs, as defined in [R.I. Gen. Laws § 23-1-52](#), and clinical laboratories, as defined in [R.I. Gen. Laws § 23-16.2-2\(2\)](#) notwithstanding the provisions of [R.I. Gen. Laws § 23-17-2\(8\)](#).

**4. Are there any exemptions?**

The sole exemption in the regulation is a medical exemption. The person must be evaluated for an applicable medical exemption by a licensed physician, physician assistant, or advanced practice registered nurse who will complete the [form](#) available at: [Resources for Healthcare Professionals | RI COVID-19 Information Portal](#).

**5. Is there a specific test that employees must use to meet twice weekly testing requirements pursuant to the regulations?**

Any COVID-19 tests authorized by the Food and Drug Administration (FDA), e.g., PCR and BinaxNOW rapid test, may be used to meet the requirements.

**6. Are health care facilities required under this emergency regulation to terminate the employment of health care workers who refuse to be vaccinated against COVID-19?**

Health care facilities are not required to terminate employment if an employee refuses to be vaccinated.

**7. Are we required to discharge employees who refuse to be vaccinated?**

No, but unvaccinated health care workers at RIDOH-licensed facilities are not allowed in the facilities beginning October 1.

**8. Will exemptions be made for health care workers who have a documented appointment for either or both vaccination rounds (shot #1 or shot #2, when applicable) after October 1?**

The regulation provides that all health care workers and health care providers must be vaccinated by October 1. There should be plenty of time to achieve this goal. "Vaccinated" means a person has received all recommended dose(s) of a COVID-19 vaccine authorized by the U.S. Food and Drug Administration (FDA) or the World Health Organization, or all recommended dose(s) of another COVID-19 vaccine approved by RIDOH (e.g., Novavax).

**9. Are office workers within the health care sector, such as those who do not provide direct care services but work as scheduling coordinators or billing clerks for a home care provider, included within the mandates under the emergency regulation?**

Any individual who works at a RIDOH-licensed health care facility, including those not directly involved in patient care but potentially exposed, in the course of employment, to infectious agents that can be transmitted from person to person, and any individual who is a licensed health care provider, must follow this regulation.

**10. Are homemakers, personal care attendants (PCAs) and individual providers (IPs) within the Medicaid Program included in this vaccination requirement?**

If they are licensed health care providers in the state of Rhode Island or enter a licensed health care facility for the purposes of work, they must be vaccinated by October 1. The regulation does not apply to a patient's family member or friend who visits or otherwise assists in the care of that patient in a health care facility.

**11. Where can I get tested?**

The employee can be tested anywhere testing is available. All Rhode Islanders can schedule a free COVID-19 test for themselves or their dependent child online at [portal.ri.gov](https://portal.ri.gov) or by calling 401-222-8022. [This list](#) has more information about each State-run test site. General testing information is available at: <https://covid.ri.gov/testing>.

**12. Is it the responsibility for the employer to test the employee?**

No. Employers in RIDOH-licensed healthcare facilities are responsible for tracking testing compliance of their employees.

**13. What requirements will the employer have for tracking testing of its unvaccinated employees?**

It will be up to the employer in a RIDOH-licensed healthcare facility to track testing of all unvaccinated staff and have data available for survey or if asked.

**14. What options are available if a healthcare employer is interested in building their own testing infrastructure?**

The State can support with laboratory connections and training of specimen collection for employers that do not have the skill set or pre-existing laboratory relationship. If they do, our recommendation would be to utilize existing lab relationships that employers already have and add PCR testing to their current agreements. Companies have various over the counter, point-of-care test options if they choose to conduct asymptomatic screening with antigen-based tests.

**15. If someone is beginning employment in a position that would fall under this regulation, is COVID-19 vaccination required to start work?**

Yes.

**16. Can facilities obtain COVID-19 vaccine to administer to their own healthcare workers?**

Yes. You can either fill out our Vaccine Community Partner Interest Form (available at <https://covid.ri.gov/public>), which will help us work with you to set up a vaccination event, or you can enroll as a COVID-19 vaccine provider. To enroll as a vaccine provider, please follow the steps outlined at <https://covid.ri.gov/vaxproviders>.

**17. Can RIDOH report on the vaccination status of employees?**

No.

**18. Are positive COVID-19 antibody tests considered evidence of immunity which would not require vaccination?**

No.

**19. Are essential caregivers required to be vaccinated?**

Unless an essential caregiver fits within the definition of a health care worker or health care provider, no, an essential caregiver is not required to be vaccinated. The definition of health care worker expressly excludes a member of the patient's family or friend who visits or otherwise assists in the care of that patient in a health care facility.