

ORDER OF THE LONG BEACH HEALTH OFFICER

Order Requiring

**ANNUAL INFLUENZA AND UPDATED COVID-19 IMMUNIZATION OR MASKING REQUIREMENT
FOR HEALTHCARE PERSONNEL DURING THE 2024-2025 RESPIRATORY VIRUS SEASON**

Date Order Issued: October 3, 2024

This Order is in effect until rescinded in writing by the Health Officer.

SUMMARY OF THE ORDER:

This Order requires that each year, Healthcare Personnel (HCP) in all licensed healthcare facilities a) be immunized with both an annual influenza vaccine and the most recently updated COVID-19 vaccine authorized for use in the United States for the current respiratory virus season or b) wear a respiratory mask while in contact with patients or working in patient care areas for the duration of the respiratory virus season, all as further defined below.

BACKGROUND:

Many respiratory viruses, like influenza, COVID-19, and respiratory syncytial virus (RSV), circulate year-round in the United States and California, but infection rates and severity of symptoms increase significantly in the fall and winter months and pose risks to medically vulnerable individuals and those exposed through necessity due to their circumstances. When seeking care, patients, clients and residents in healthcare settings may be concerned about their potential exposure to COVID-19 and influenza. Some of these individuals, such as young children, pregnant women, elderly individuals, and persons with chronic health conditions or immunocompromised, may also be at increased risk of serious complications, including hospitalization, intubation or ventilation, and even death if infected these infections.

Vaccine formulations that target the SARS-CoV-2 and influenza viruses continue to provide good protection against severe disease. Although vaccinations do not prevent all infections or transmission, unvaccinated individuals have a higher risk of infection and serious complications if infected.

Influenza immunizations, updated COVID-19 immunizations, and masking are important actions that healthcare personnel (HCP) can take to protect themselves, other HCP, patients, and others from these viruses. Unvaccinated HCP are not only at higher risk for contracting influenza and COVID-19 but can also spread these viruses to their coworkers or patients. When HCP are vaccinated, the risk of illness is reduced for those who interact with them, especially when also wearing a well-fitted mask.

Each year at the beginning of the respiratory virus season, it is recommended for HCP to be immunized with both the annual influenza vaccine and the most recently updated COVID-19 vaccines authorized for use in the United States. Acute care hospitals in California must offer free influenza vaccinations on-site to their employees and require all employees to be vaccinated annually. Any employee who chooses not to be vaccinated must provide the hospital with a written declaration that they decline the vaccination [See, Cal. Health & Safety Code §1288.7(a)].

In addition, occupational safety regulations require other healthcare facilities, including skilled nursing facilities, intermediate care facilities and Emergency Medical Services (EMS) provider agencies make the seasonal influenza vaccine reasonably available to all employees with occupational exposure and ensure that each employee who refuses the vaccine signs a statement declining vaccination [See, 8 Cal. Code Regs. §5199 (c)(6)(D) & (h)(10)].

In the City of Long Beach, a Health Officer Order mandating that HCP be either vaccinated against influenza or masked while in contact with patients or when working in patient-care areas has been issued annually since 2013. Since that time, the average rate of HCP influenza immunization across Los Angeles County has increased.

There is a need to continue efforts to increase immunization rates to protect both HCP and the patients they serve. We strongly encourage other unlicensed healthcare and direct care entities to voluntarily adopt the same measures for their employees to protect their personnel and patients during the respiratory virus season.

This Health Officer Order is effective within the City of Long Beach. This order will continue until it is revised, rescinded, superseded, or amended in writing by the Health Officer.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE (HSC) SECTION 120175, THE CITY OF LONG BEACH HEALTH OFFICER ORDERS:

- 1) PURPOSE.** Influenza and COVID-19 pose a risk to persons within Long Beach City. Vaccination against influenza and COVID-19 is still the most important strategy to prevent serious illness and death from these respiratory illnesses. When HCP and workers in health care settings are vaccinated, there is a reduced risk to those who interact with them.

This Order continues the requirement that every licensed acute care hospital listed in section 3, including skilled nursing facilities, intermediate care facilities, and EMS provider agencies within the City of Long Beach implement a program under which HCP a) receive both the annual influenza vaccine and the most recently updated COVID-19 vaccine authorized for use in the U.S. for the current respiratory virus season or b) if HCP (as defined below in 3b) declines the influenza or updated COVID-19 vaccine for the current respiratory season the HCP is required to wear a respiratory mask (i.e., surgical,

procedure, or N-95) for the duration of the season while in contact with patients or when working in patient-care areas. Moreover, this Order expands the influenza immunization or respiratory mask requirement to HCP in all licensed healthcare facilities as defined in Section 2 of this Order.

2) LICENSED HEALTHCARE FACILITIES SUBJECT TO THIS ORDER. This Order applies to the following licensed health care facilities:

- i. General Acute Care Hospitals
- ii. Skilled Nursing Facilities (including Subacute Facilities)
- iii. Intermediate Care Facilities
- iv. Emergency Medical Service (EMS) Provider Agencies
- v. Congregate Living Health Facilities
- vi. Chemical Dependency Recovery Hospitals
- vii. Acute Psychiatric Hospitals
- viii. Dialysis Centers
- ix. Home Health Agencies
- x. Primary Care Clinics
- xi. Ambulatory Surgery Centers
- xii. Hospice Facilities

3) DEFINITIONS. For the purposes of this Order, the following terms have the meanings given below:

- a. **Respiratory Virus Season.** Refers to November 1 of one year through April 30 of the following year. If surveillance data in a particular year demonstrate that the respiratory virus season is different than November 1 to April 30, this period may be amended in an updated Order.
- b. **Healthcare Personnel (HCP).** Refers to all paid and unpaid employees, contractors, students, volunteers, and EMS HCP who have direct patient contact or work in patient-care areas in licensed healthcare facilities subject to this Order and the prehospital care setting (e.g., any setting in which medical care is provided prior to the patient's arrival at the hospital). This includes, but not limited to, physicians, nurses, aids, physical therapists, emergency medical technicians (EMTs), paramedics, contract workers, students, volunteers, registration/reception staff, housekeeping, and maintenance personnel.
- c. **Respiratory Mask.** Refers to a surgical, procedure, or N-95 mask, also designated by some manufacturers as isolation, dental, or medical procedure facemask.
- d. **Patient-Care Areas.** Refers to areas in facilities that include, but are not limited to, patient or resident rooms and areas where patients receive diagnostic or treatment services, can be taken for procedures or tests, and are allowed to be present (e.g., elevators, hallways, and nurses' stations). These areas also include any prehospital setting in which EMS personnel are in contact with patients and other areas facility administrators deem could result in exposure to patients and possible disease transmission.

- 4) INFLUENZA AND COVID-19 VACCINATION REQUIREMENT.** All employees of a licensed healthcare facility (as defined in Section 2) who meet the definition of healthcare personnel (as defined in Section 3b) must receive both an annual influenza vaccine and the most recently updated COVID-19 vaccines authorized in the United States for the current respiratory virus season prior to or during the respiratory virus season, annually defined as November 1 to April 30, or wear a respiratory mask while in contact with patients or working in patient-care areas.

By November 1 of each respiratory virus season, HCP who decline either or both an influenza or COVID-19 immunization, as described above, must provide their employer, on a form provided by their employer, a written declaration for each vaccine they have declined. HCP who decline or have not yet obtained both an annual influenza vaccine or the most recently updated COVID-19 vaccines authorized for use in the United States for the current respiratory virus season must wear a respiratory mask while in contact with patients or working in patient-care areas for the duration of the respiratory virus season.

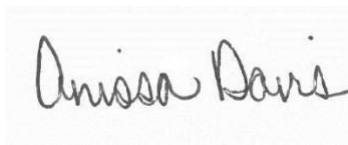
Facilities are encouraged to stay abreast of [COVID-19 vaccine-rated guidance issued by the CDC](#), including eligibility requirements for the updated COVID-19 vaccines (2024-2025 Formula).

- 5) MAINTENANCE OF RECORDS.** Consistent with applicable privacy laws and regulations, the operator of the licensed healthcare facility must maintain records of all HCP vaccination or declination status.
- a. The facility must provide such records to the Long Beach Department of Health and Human Services or their designee promptly upon request, and in any event, no later than three business days after receiving the request.
 - b. Operators of the facilities subject to the requirement must maintain records with the following information:
 - i. Full name and date of birth of HCP
 - ii. Vaccine manufacturer
 - iii. Date of vaccine administration
 - c. For unvaccinated workers: a declination form signed by the unvaccinated HCP.
- 6) REPORTING.** Upon request by the Long Beach Department of Health and Human Services, facilities and EMS provider agencies must report their HCP influenza and COVID-19 immunization rates within the requested timeframe either through the CDC's National Healthcare Safety Network, a tool provided by the EMS agency, or a tool provided by the Long Beach Department of Health and Human Services.
- 7) MASKING AND OTHER INFECTION CONTROL POLICIES AND PRACTICES.** Nothing in the Order limits otherwise applicable requirements related to personal protective equipment (PPE), personnel training, and infection control policies and practices.

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- 8) ACCESS TO VACCINATIONS.** All licensed healthcare facilities covered by the Order are encouraged to provide onsite vaccinations for HCP and all employees, easy access to nearby vaccinations, and education and outreach on vaccinations. Of note, facilities must also comply with vaccination related and other requirements set forth by California law and/or occupational safety regulations that apply to their site.
- 9) COPIES.** The City of Long Beach shall promptly provide copies of this Order by:
- a. Posting it on the Long Beach Department Health and Human Services' website: www.longbeach.gov/fluforproviders.
 - b. Providing it to any member of the public requesting a copy.
- 10) SEVERABILITY.** If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portion or applications of this Order.
- 11) AMENDMENTS TO ORDER.** This Order may be revised in the future to reflect evolving local or overarching public health conditions.
- 12) STATUTORY AUTHORITY.** This Order is issued pursuant to the California Health and Safety Code (HSC) section 120175.
- 13) ISSUE DATE.** This Order is issued on Tuesday, October 3, 2024 and will continue until it is revised, rescinded, superseded, or amended in writing by the City Health Officer.

IT IS SO ORDERED:

A handwritten signature in black ink that reads "Anissa Davis". The signature is written in a cursive, flowing style.

Anissa Davis, MD, DrPH,
Health Officer
City of Long Beach
October 3, 2024

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HEALTH OFFICER ORDER RESOURCES

For additional information regarding this Health Officer Order, the following documents will be available on the Long Beach Department of Health and Human Services website at: www.longbeach.gov/fluforproviders.

- Health Officer Order FAQ

If you have any questions, contact the Long Beach Health and Human Services, Communicable Disease Surveillance and Control Division at 562.570.4302 or lbepi@longbeach.gov, Monday through Friday from 8:00am to 5:00pm.