

COVID-19 Safety Protocol and Vaccination Requirement

Policy Adopted for BUCOM 9/29/2022

Policy Information			
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Responsible University Administrator:	VP, Administrative Services	President Council Approved Date:	4/22

1. Purpose

- 1.1. To establish a COVID-19 safety protocol and vaccination requirement as a condition of employment for all Baptist team members including employed providers.
- 1.2. To provide a process for team members to request an exemption from or a temporary delay of the COVID-19 vaccination requirement based on medical or religious reasons.
- 1.3. To endorse and promote education regarding the COVID-19 safety protocol and vaccination requirement so that non-Baptist health care personnel who provide services within any Baptist facility are in compliance with COVID-19 safety protocols, guidelines, and required vaccination.
- 1.4. To maximize the COVID-19 vaccination rates of all team members, including remote workers and employed providers, as well as contracted employees and physicians, medical staff, licensed practitioners, vendors, suppliers, consultants, volunteers, students, trainees, and others affiliated with Baptist in order to provide the safest possible environment for patients, family members, health care providers, and the broader community. For purposes of this Safety Protocol, a reference to “team member” refers to an individual directly employed by Baptist. For the purposes of this Safety Protocol, a reference to “staff” refers to an individual *not* directly employed by Baptist.
- 1.5. This updated/revised Baptist’s COVID-19 Safety Protocol and Vaccination Requirement is issued in compliance with the Centers for Medicare and Medicaid Services (“CMS”) Interim Final Rule: Omnibus COVID-19 Health Care Staff Vaccination. In accordance with the CMS Interim Final Rule, Baptist’s COVID-19 Safety Protocol is applicable to all staff and team members who provide any care, treatment, or other services to Baptist and/or its patients, under contract or by other arrangement, regardless of clinical responsibility or patient contact. Further, any non-employees or other third parties (“staff”) providing care, treatment, or other services to Baptist and/or its patients, under contract or by other arrangement, are responsible for compliance with the CMS Interim Final Rule and implementing a COVID-19 vaccination requirement/policy for their staff prior to entering a Baptist facility.

2. Policy

Safety and Infection Prevention/Control Rationale:

- 2.1. COVID-19 and its variants have created an unprecedented public health crisis. Baptist relies on the guidance from the Centers for Disease Control and Prevention (“CDC”) and other experts within the medical community. The research and evidence-based practices reflect that the COVID-19 vaccine is extremely successful in keeping people from becoming seriously ill. During this medical emergency, the vaccination is the best protection we have against this highly contagious illness and the best option we have to serve our patients and our communities.
- 2.2. In keeping with Baptist’s longstanding Mission of healing, preaching, and teaching, we are obligated to promote the health, well-being, and safety of our patients, their loved ones, our communities, and team members if we are going to significantly minimize the spread of this virus.

3. General Guidelines

3.1. General Safety Protocol and COVID-19 Vaccination Requirement

- 3.1.1. All Baptist team members, including remote workers and employed providers, as well as contracted employees and physicians, medical staff, licensed practitioners, vendors, suppliers, consultants, volunteers, students, trainees, and/or other health care professionals who work in or come into our Baptist facilities are required to be fully vaccinated against COVID-19 and provide proof of vaccination status.
- 3.1.2. For the purpose of this policy, being fully vaccinated means that an individual has completed a primary vaccination series for COVID-19. The completion of a primary vaccination for COVID-19 means the administration of a single-dose vaccine, or the administration of all required doses of a multi-dose vaccine, depending on the vaccine manufacturer, that has received either Emergency Use Authorization or full approval from the U.S. Food and Drug Administration.
- 3.1.3. Exemption requests from Baptist team members for medical or religious reasons will be reviewed and determined on a case-by-case basis. (See Exemption Requests section herein.) A Baptist team member must submit a written request for a medical or religious exemption as described herein and in accordance with this Safety Protocol to be considered for an exemption from the COVID-19 vaccination requirement.
- 3.1.4. Baptist provides COVID-19 vaccinations free of charge for team members at various sites and times. Individuals covered by this Safety Protocol should contact Baptist Human Resources or Employee Health Services for additional details regarding vaccination sites. Individuals have the option to be vaccinated at a non-Baptist location and provide proof of vaccination as described herein.
- 3.1.5. All team members are expected to coordinate time away from the work site with their managers. If the vaccine is not available at the team member’s work site, non-exempt team members will be compensated for time spent obtaining the vaccine if they receive the vaccine during their regular work hours. Non-exempt team members will remain on the clock and will be allowed a reasonable amount of time, depending on the vaccination site, to enable them to obtain the vaccine without loss of compensable time. This time includes travel to the vaccination site, registration, vaccination, observation, and travel back to the work site.

- 3.1.6. Team members' proof of vaccination status shall be provided to Baptist's Employee Health Services Department and such documentation will be maintained as a confidential medical record. If individuals do not receive the COVID-19 vaccination regimen through Baptist, proof of vaccination status will be accepted from another provider or a non-Baptist location and must be provided to Employee Health Services in the form of the individual's CDC vaccination record card or the individual's actual vaccination administration record from the facility/clinic administering the vaccination, validating that the individual received the full COVID-19 vaccination regimen. Verbal statements regarding vaccination status are not acceptable as proof of vaccination.
- 3.1.7. To the extent necessary to ensure compliance with this Safety Protocol, Baptist reserves the right to verify the authenticity of any proof of vaccination status presented to Employee Health Services and take appropriate remedial action as warranted. Any falsification of a record, regardless of when the falsification is discovered, is a serious conduct violation subject to disciplinary action up to and including termination of employment.
- 3.1.8. New hires are required to be fully vaccinated or receive an approved medical or religious exemption from Baptist's Employee Health Services Department before starting employment.
- 3.1.9. Team members who are unvaccinated and on an approved leave of absence during this compliance period will be required to provide proof of COVID-19 vaccination to Employee Health Services as part of the team member's clearance process to return to work after a leave of absence, or the team member will be required to comply with this COVID-19 Safety Protocol within fourteen (14) days of returning to work by beginning a primary vaccination series or submitting a completed COVID-19 Vaccination Medical or Religious Exemption Request Form.
- 3.1.10. Baptist team members and other individuals covered by this Safety Protocol are still required to adhere to Baptist's safety standards and protocols to include the use of appropriate Personal Protective Equipment (PPE), masking, social distancing, hand washing, and all other prescribed infection control safety precautions.
- 3.1.11. Baptist will continue to participate in and comply with all legal and regulatory requirements for monitoring, reporting, and compliance related to COVID-19, as applicable. Any proof of vaccination received may be used for compliance with Baptist's legal and regulatory obligations.
- 3.1.12. Baptist reserves the right to amend, modify, and/or otherwise alter this Safety Protocol at any time and for any reason as needed.
- 3.2. Exemption Requests – Medical and Religious**
 - 3.2.1. Team members and candidates for employment who are in the pre-employment health screening process and request a medical or religious exemption must do so in writing and obtain a copy of Baptist's COVID-19 Vaccination Medical or Religious Exemption Request Form ("Exemption Request Form") from Human Resources or Employee Health Services. As further described herein, any exemption request must be documented on Baptist's Exemption Request Form and submitted to Corporate Employee Health Services via email at vax@bmhcc.org to be considered.
 - 3.2.2. To comply with the exemption request process, Baptist's Exemption Request Form must be completed in its entirety and any required supporting documentation must be submitted with the Exemption Request Form. An incomplete Exemption Request Form will not be considered until the Form is completed and all required supporting documentation is submitted to Employee

Health Services, which delay could result in the team member's non-compliance with this COVID-19 Safety Protocol and Vaccination Requirement.

- 3.2.3. Medical exemption requests from team members will be reviewed and determined on a case-by-case basis. Baptist will review medical documentation identifying a recognized clinical contraindication to COVID-19 vaccines, signed and dated by a licensed practitioner who is not the individual requesting the exemption, and who is acting within the practitioner's respective scope of practice as defined by, and in accordance with, all applicable state or local laws. Additional details and specific instructions concerning medical exemption requests are outlined in Baptist's Exemption Request Form.
- 3.2.4. A team member may qualify for a temporary delay of the COVID-19 vaccination, as recommended by the CDC, due to clinical precautions and considerations, including, but not limited to, individuals with acute illness secondary to COVID-19, and individuals who received monoclonal antibodies or convalescent plasma for COVID-19 treatment. Supporting documentation from the individual's licensed practitioner must be submitted along with Baptist's Exemption Request Form for an individual to be considered for a temporary delay of the COVID-19 vaccination. Additional details and specific instructions concerning requests for a temporary delay are outlined in Baptist's Exemption Request Form.
- 3.2.5. If a team member is granted any temporary delay of the COVID-19 vaccination, the temporary delay will indicate an expiration date and upon such expiration, the team member is responsible for continued compliance with this COVID-19 Safety Protocol and Vaccination Requirement as outlined herein. Within fourteen (14) days of the expiration of the temporary delay, the team member will be required to comply with this COVID-19 Safety Protocol by beginning a primary vaccination series or submitting a completed COVID-19 Vaccination Medical or Religious Exemption Request Form as described herein.
- 3.2.6. Religious exemption requests from team members will be reviewed and determined on a case-by-case basis. Baptist will review documentation of the team member's sincerely held religious belief, including an explanation of why the personal religious belief prevents the team member from taking the COVID-19 vaccine. Baptist will consider a team member's personal statement/written narrative explaining the religious belief and how the religious belief conflicts with Baptist's COVID-19 Safety Protocol and Vaccination Requirement. Additional details and specific instructions concerning religious exemption requests are outlined in Baptist's Exemption Request Form.
- 3.2.7. Team members will be notified in writing as quickly as possible regarding the status of the exemption request.
- 3.2.8. Team members who receive an approved medical or religious exemption in writing will not be required to take the COVID-19 vaccination; however, Baptist reserves the right to implement additional safety requirements and infection control and prevention measures to continue to address the COVID-19 public health emergency.

4. Education

- 4.1. Baptist will continue to provide updated communication on COVID-19 resources to educate team members and to dispel misinformation and miscommunication. The Baptist

Coronavirus Resource Center will provide information from the CDC and other experts from the research and medical community.

5. Decision Not to Obtain COVID-19 Vaccination

- 5.1. This Safety Protocol has been issued for the protection of Baptist's patients, visitors, and team members so that we are able to minimize the spread of COVID-19 within our communities. Therefore, COVID-19 vaccinations are required as a condition of employment for all Baptist team members. Team members are required to be fully vaccinated against COVID-19 unless a team member obtains an approved medical or religious exemption or a temporary delay from Employee Health Services as outlined in this Safety Protocol.
- 5.2. Baptist team members who do not receive an approved exemption and elect not to comply with this COVID-19 vaccination requirement will receive two (2) formal written reminders, a Written Warning and a Final Written Warning, regarding the COVID-19 vaccination requirement. A team member may be placed on an unpaid leave of absence/suspension pending investigation at any time during this disciplinary process for non-compliance with the vaccination requirement. Notwithstanding any existing Baptist policy or procedure, if a team member provides proof of vaccination and returns to work, the team member may not use PTO to receive pay during any leave/suspension and no back pay shall be issued for time spent on an unpaid leave/suspension as the result of the enforcement of this policy.
- 5.3. Other unrelated disciplinary infractions, i.e., performance, attendance, and/or conduct as outlined in Baptist's Performance and Conduct Expectations for Employees Policy, will not be counted in this progressive disciplinary pathway.
- 5.4. Team members who are not in compliance with this Safety Protocol are subject to disciplinary action up to and including termination of employment for failure to comply with the provisions of Baptist's COVID-19 Safety Protocol and Vaccination Requirement. At any point during the disciplinary process, if a team member elects to become fully vaccinated the team member may provide proof of vaccination to Employee Health Services for consideration. A team member who becomes fully vaccinated during the disciplinary process must receive clearance from Employee Health Services to be considered for return to work.
- 5.5. If team members are not in compliance with the provisions of Baptist's COVID-19 Safety Protocol and Vaccination Requirement, team members will be terminated for failure to comply with the policy.

6. Definitions

- 6.1. None.

7. Procedure

- 7.1. None.

8. Related Information

- 8.1. None.