

GENERAL POLICY QUESTIONS

1. Where can I find the mandatory vaccine policy?

Refer to the COVID-19 Vaccination Policy in PolicyManager.

2. Why is Evangelical mandating the COVID-19 vaccine instead of continuing to allow unvaccinated employees to perform daily antigen surveillance testing?

While we fully intended to continue to adhere to our own policy, providing unvaccinated employees the ability to test every shift simply is no longer an option. Evangelical is required to comply with the CMS Omnibus COVID-19 Health Care Staff Vaccination Interim Final Rule issued by the Centers for Medicare and Medicaid Services (CMS) on November 5, 2021. Medicare and Medicaid account for approximately 60% of our gross revenue. Failure to comply will jeopardize Evangelical's ability to qualify for Medicare and Medicaid reimbursements which would have a direct impact on the Hospital's ability to keep our promise of caring for this community.

3. If this is an Interim Rule, why is Evangelical mandating the COVID-19 vaccine before the rule is final?

Based on the continued transmission of COVID-19 across the country, CMS issued this emergency regulation as an Interim Final Rule allowing the agency to take immediate action to protect the health and safety of residents, clients, patients, and staff. Interim refers to the 60-day comment period during which stakeholders can submit formal comment on the emergency regulation. However, the requirements will go into effect immediately and before any additional response is provided on the comments by CMS. We need to act now to ensure we are in compliance by the established deadlines.

4. Hasn't the federal court put a hold on the implementation of this vaccine mandate?

There were two separate vaccine mandates announced on November 5 – the CMS mandate and an OSHA vaccine or test mandate for large employers with more than 100 employees. A federal appeals court has stayed the implementation of the OSHA vaccine or test mandate but the CMS mandate remains in effect. Evangelical is required to comply with the CMS mandate, not the OSHA mandate. While multiple states have filed suit challenging the CMS mandate, claiming there is a disparate impact on rural health care due to the increased staffing shortages in rural areas, the court has not yet issued any decision and CMS does have broad authority to regulate the Medicare-certified facilities subject to the rule.

5. Why was this vaccine mandated for all Evangelical employees, even if I work in a non-patient-facing setting?

To ensure maximum protection of patients and the community, CMS is requiring that all staff who interact with other staff, patients, visitors, etc. in any location beyond the formal clinical setting (such as homes, clinics, other sites of care, administrative offices, off-site meetings, etc.) must be vaccinated.

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6. Does this policy only apply to Evangelical employees?

The CMS rule has broad application and includes all current staff as well as any new staff who provide any care, treatment, or other services for the facility and/or its patients. This includes facility employees, licensed practitioners including non-employed members of the Medical Staff, students, trainees, and volunteers. Additionally, this also includes individuals who provide care, treatment, or other services for the facility and/or its patients under contract or other arrangements like agency staff, vendors, and contractors.

7. When do I have to be in compliance with the policy?

The regulation requires health care providers to establish a process or policy to fulfill the staff vaccination requirements over two phases.

- By December 5, 2021, staff must have received, at a minimum, the first dose of a primary series or a single dose COVID-19 vaccine prior to staff providing any care, treatment, or other services for the facility and/or its patients.
- By January 4, 2022, staff must complete the primary vaccination series.

8. I am having difficulty managing my feelings and stress about this policy. What can I do?

This is an extremely challenging time for our employees. If you are struggling with stress, anxiety, anger, or any other emotion, reach out to the Employee Assistance Program (EAP) at 800-252-4555 for 24/7 telephonic confidential services or confide in your healthcare provider or someone you trust.

VACCINATION QUESTIONS

9. Will Evangelical be offering additional opportunities to be vaccinated?

Employee-only vaccine clinics will be scheduled for November 23, December 1, December 2., and December 3. Additional clinics may be scheduled to accommodate employee demand. Additionally, employees can be vaccinated at designated Family Medicine of Evangelical locations or can obtain a vaccine through any approved vaccine distributor including local pharmacies and retail chains.

10. How do I register to be vaccinated?

Registration for employee-only vaccine clinics will be done through HealthStream. Watch EvanNet for more details. To schedule a vaccination at a designated Family Medicine of Evangelical location, contact the vaccine hotline at 570-522-4530, option 1 between 9 am and 3 pm Monday through Friday.

11. Which vaccines are administered at Evangelical?

Evangelical employees will receive the two-dose Pfizer vaccine. A limited supply of the Johnson & Johnson Janssen one-dose vaccine is available upon request. For more information on the types of approved vaccines, visit <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/different-vaccines.html>.

12. How long do I have to wait to be vaccinated following testing positive for COVID-19?

Per the CDC guidelines, people with COVID-19 who have symptoms should wait to be vaccinated until they have recovered from their illness and have met the criteria for discontinuing isolation; those without symptoms should also wait until they meet the criteria before getting vaccinated. This guidance also applies to people who get COVID-19 before getting their second dose of vaccine. <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/faq.html>

13. What if I experience symptoms as a result of the vaccine, and I cannot work?

If after being vaccinated, you experience any symptoms that impact your ability to report to work, contact your supervisor and Employee Health for instructions. As a general rule, you may use any accrued Extended Leave or PTO to take time off as needed to recover.

14. I am on an approved leave. What is the deadline for receiving my vaccination?

An employee currently on leave will be required to be compliant with one or more of the vaccine deadlines or have an approved exemption before being able to return to work. For example, an employee returning to work after December 5 but before January 4 will be required to have at least one dose of the vaccine before returning to work and then will be required to meet the January 4 deadline for second dose. An employee returning to work on or after January 4 will have to have received the second dose of a two-dose vaccine or a single dose vaccine before returning to work.

15. Is this a one-time mandate or will I be required to get boosters or annual shots?

For purposes of this regulation, CMS currently considers staff fully vaccinated if it has been two weeks or more since they completed a primary vaccination series for COVID-19. While the FDA has approved, and CDC has recommended, boosters for certain groups that previously completed a primary vaccination series, boosters are not currently required to be in compliance with this policy. Any change in vaccination requirements will be communicated as soon as administratively feasible.

16. What does “fully vaccinated” mean?

A person is considered “fully” vaccinated” when two weeks have passed since they completed a COVID-19 vaccine series (for example, 1 dose of the Janssen/Johnson & Johnson vaccine, or 2 doses within no more than 12 weeks of the Moderna or Pfizer vaccine) as well as any boosters consistent with manufacturer’s instructions and applicable agency approval, authorization, or listing. However, staff who have who have completed the primary series for the vaccine received by the January 4, 2022, implementation date are considered to have met these requirements, even if they have not yet completed the 14-day waiting period required for full vaccination.

17. How do I demonstrate proof of vaccination? Who will maintain the documentation?

If you are vaccinated at an Evangelical employee clinic, you will not be required to submit any additional proof of vaccination. If you receive your vaccine at another Evangelical location or approved vaccine distributor, you are responsible to submit proof of your vaccine to Employee Health prior to the policy deadlines. This requirement can be satisfied by providing a copy of your CDC vaccination card; official documentation issued by a State vaccine registry; or an official medical record. Documentation will be maintained by Employee Health as part of your personal employee health file and tracked by People & Culture for compliance with this policy. Once fully vaccinated, you will receive a sticker to place on your employee badge.

18. Isn’t the practice of sharing vaccination information against HIPAA?

Because Evangelical is collecting health information in the context of an employer-employee relationship rather than a physician-patient relationship, HIPAA does not apply. Once collected, however, the information will be treated as confidential medical information under applicable federal and state laws and disclosed only as needed for business purposes.

EXEMPTION QUESTIONS

19. If I work remotely, do I have to comply with this policy?

Individuals who provide services 100 percent remotely and who do not have any direct contact with patients and other staff are not subject to the vaccination requirements outlined in this regulation as long as their position remains 100 percent remote. If there is an expectation, regardless of frequency, that an employee performs any portion of the assigned work onsite, s/he must comply with this policy. People & Culture and departmental leadership must jointly agree on the designation of a position as 100 percent remote.

20. Can I request to work remotely as an alternative to being vaccinated?

Requests to work remotely will not be granted as an alternative to being vaccinated in the absence of an approved exemption.

21. What if I have a medical or religious reason for not being vaccinated?

Evangelical will consider exemption requests on a case-by-case basis for recognized medical conditions for which vaccines are contraindicated (as a reasonable accommodation under the Americans with Disabilities Act (ADA)) or sincerely held religious beliefs, observances, or practices (established under Title VII of the Civil Rights Act of 1964). No exemption will be provided to any staff for whom it is not legally required or who requests an exemption solely to evade vaccination.

22. If I do not have a religious or medical reason for being vaccinated, what should I do?

Only medical and sincerely held religious beliefs will be considered for exemption. Social, political, or personal views are not sufficient grounds for exemption and should not be submitted for consideration. If you choose not to be vaccinated based on your personal beliefs, you will not be able to work or engage in on-site activities and will be deemed to have voluntarily resigned your position. Please refer to the questions below regarding resignation/termination.

23. Can medical exemptions be short term or permanent?

Medical exemptions may be approved as temporary or permanent depending upon the medical contraindication as certified by your medical provider. If temporary, you will have an allotted time period in which to be vaccinated.

24. How do I request an exemption?

Using one of the approved exemption request forms (see attached), you can submit an exemption request to People & Culture in person or via email to humanresources@evanhospital.com. All exemption requests should be submitted as soon as possible but no later than November 22, 2021, in order to allow time for review and decision making.

25. Who will review my exemption request?

Exemption requests will be reviewed by a small, inter-disciplinary committee comprised of representation from People & Culture, Administration, and the Medical Staff. Legal counsel will be consulted as needed to ensure compliance with the ADA and Title VII. To the extent possible, identifying information will be redacted during the review process. All exemption documentation will be treated with the utmost confidentiality.

26. How will I know if my exemption request is approved?

If additional information is required to consider your exemption request, you will be contacted by People & Culture as part of the interactive discovery process. If no additional information is required, the committee will approve or deny your exemption request. You will receive an email notification with the approval or denial of your request.

27. What is the timeline for reviewing exemption requests?

Medical and religious exemption requests will be reviewed as soon as administratively feasible. Decisions will be communicated as soon as they are finalized, no later than November 30, 2021, assuming the request was received by the November 22, 2021, deadline.

28. What if my exemption request is not approved?

If your exemption request is denied, you will have an opportunity to be vaccinated before the policy deadline.

29. If I'm approved for an exemption, what will I be expected to do?

When you are notified that your exemption has been approved, you will receive information on specific steps you must follow to ensure the safety of our patients, employees, and community. At a minimum, you will receive instructions on recurring surveillance testing, masking, and physical distancing. Failure to comply with these requirements will result in disciplinary action up to and including termination.

30. Will my manager be notified of the status of my exemption request?

For operational and safety purposes, your manager will receive general notification indicating if the request is approved or denied and any accommodation requirements you must follow.

31. If I've had COVID-19, am I exempt from vaccination because of natural immunity or the presence of antibodies?

Staff who have previously had COVID-19 are not exempt from these vaccination requirements. CDC recommends that all people be vaccinated, regardless of their history of symptomatic or asymptomatic SARS-CoV-2 infection.

32. What if I've received monoclonal antibody treatment? Can I delay my vaccine?

You should work with your healthcare provider to request a temporary medical exemption for a delay in vaccination, as recommended by the CDC, due to clinical precautions and considerations, such as receipt of monoclonal antibody treatment.

33. If I'm pregnant, can I defer vaccination until after I deliver my baby?

CMS does not provide a deferral option for pregnant staff. If you have an underlying medical contraindication, you may qualify for a medical exemption. Talk with your healthcare provider about your concerns and refer to the CDC resources on vaccinations while pregnant or breastfeeding: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/recommendations/pregnancy.html>.

RESIGNATION/TERMINATION QUESTIONS

It is our goal to retain as many employees as possible throughout this process. However, in the event that an employee is unable to meet the expectations of vaccination or exemption, the following questions address the employee resignation and termination process.

34. Should I resign if I have no intention of requesting an exemption or being vaccinated?

If you choose to resign in lieu of termination for non-compliance, you are required to provide advance notice of your resignation as soon as follows:

- At least two weeks' notice (No later than November 21, 2021) if you choose not to be vaccinated or apply for an exemption
- As soon as possible but no later than November 30, 2021 if you are awaiting approval of a medical or religious exemption.

Depending on your role, these guidelines will be an approved exception to the standard notice period required by the Resignation Policy.

35. What will happen if I do not qualify for an exemption and choose not to be vaccinated?

If you do not qualify for an exemption and/or do not comply with the vaccination requirements, you will not be able to work or engage in on-site activities. If you have not provided advance notice of resignation, you will be deemed to have voluntarily resigned in lieu of termination from your position.

36. When will my last day of work be if I do not comply with the policy?

If you resign in advance, your last day of work will be no later than December 5, 2021. You will be required to work out your entire notice period.

If you do not resign in advance, you will not be permitted to work after December 5, 2021. You will be placed on an unpaid leave of absence, not to exceed 5 days, to provide a final opportunity to comply with the policy. If at the end of the unpaid leave of absence, you are still not compliant, your employment will be terminated as of December 10, 2021. If you become

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compliant during that unpaid leave of absence, you will be returned to the schedule as soon as operationally feasible.

37. What if I'm not vaccinated by the deadline but change my mind?

If you are not vaccinated by December 5, 2021, you will be removed from the schedule. You have five days (unpaid leave of absence) to be vaccinated or your employment will be terminated as of December 10, 2021.

38. How will I be notified of my last day of work?

If you do not resign in advance, a member of the People & Culture team will notify you that you are being placed on an unpaid leave of absence effective December 6, 2021. You will have the opportunity to become compliant. If you are not compliant, a member of the People & Culture team will reach out to you to coordinate the exit process.

39. Will I be eligible for unemployment if I resign or am terminated due to this policy?

Eligibility for unemployment is determined by the Bureau of Unemployment Compensation. If you open a claim, Evangelical will provide an accurate account of why your employment ended when responding to the claim.

40. Will I be eligible for rehire if I resign or am terminated due to this policy?

All employees who resign and exit the organization in good standing due to this policy will remain eligible for rehire.

41. What happens if I separate from employment at Evangelical and later get vaccinated?

If you resign and are vaccinated within 90 days of your separation date, you are eligible for reinstatement if you were in good standing at the time of separation and your position, or a comparable position, is still open.

If you resign and are vaccinated within 90 days but your position is no longer open, or you resign and are vaccinated more than 90 days after your separation date, you may re-apply for any open positions.

42. If I separate from employment at Evangelical due this policy, will I be required to repay any outstanding recruitment or retention bonuses?

Yes, you will be responsible for repaying any "unearned" balance of your recruitment or retention bonus in accordance with the repayment terms outlined in your signed promissory note. Repayment details, including withholdings from your final pay and repayment of any remaining balance, will be communicated to you prior to your last day of employment.

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43. If I separate from employment at Evangelical due to this policy, will I receive a PTO payout for any accrued, unused PTO?

If you provide advanced resignation notice and work the entire notice period or resign in lieu of termination following the deadline, you will be eligible to receive your PTO payout.

44. If I separate from employment at Evangelical due to this policy, what will happen to my employee benefits?

Employee benefits will end at the end of the pay period in which your employment ends as long as you've earned enough in the pay period to cover your benefit premiums. You will receive information on transitioning to COBRA benefits at the time of your exit.

45. What happens if I test positive for COVID-19 before I'm able to be vaccinated in time to comply with this policy?

Per CDC guidance, you will not be able to return to work until your isolation period ends and you have met the vaccination requirements.

46. What happens if I meet the December deadline but do not meet the January 4 deadline for the second dose?

You will be subject to a similar process as identified above. People & Culture will communicate specific expectations in mid-December.

47. What if I have more questions?

Please direct all questions to humanresources@evanhospital.com.