

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting a Policy)
To Comply with OAR 333-019-1010; Vaccine) Order No. 53-2021
Mandate for HealthCare Providers and Healthcare)
Staff)

WHEREAS, effective September 1, 2021, the Oregon Health Authority adopted OAR 333-019-1010, requiring that all individuals who meet the definition of healthcare provider or healthcare staff in a County Healthcare setting, be vaccinated or have an approved exception from the requirement for medical or religious reasons; and

WHEREAS, the County may not permit healthcare providers or healthcare staff to work, learn, study, assist, observe or volunteer in a healthcare facility after October 18, 2021 unless they are fully vaccinated or have an approved religious or medical exception; and

WHEREAS, this Order is adopted to provide a process and procedure to implement OAR 333-019-1010; and

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY ORDERS that the Policy and Procedure for Vaccination Requirements for County Healthcare Providers and Healthcare Staff which is attached hereto as Exhibit 1, and is incorporated herein by this reference is hereby adopted. This Order will expire at the time the requirements of OAR 333-019-1010 expire, or at the time additional requirements supplant those included in this Order.

Dated this 13 day of October, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Margaret Magruder, Chair

By: VOTES NO
Casey Garrett, Commissioner

By: 
Henry Heimuller, Commissioner

Approved as to form

By: 
Office of County Counsel

EXHIBIT 1

Policy: COVID-19 Vaccination Requirements for County Healthcare Providers and Healthcare Staff

It is the policy of Columbia County to comply with all applicable Federal and State rules, regulations and statutes, including those related to preventing and slowing the spread of COVID-19.

In accordance with OAR 333-019-1010, all individuals who meet the definition of healthcare provider or healthcare staff in a County-provided healthcare setting shall provide proof that they are fully-vaccinated against COVID-19 on or before Oct. 18, 2021, or they will not be permitted to work, learn, study, assist, observe or volunteer thereafter in said healthcare setting, unless they have provided approved documentation of a medical or religious exception.

Employees, volunteers and interns shall provide proof of vaccination, or a request for medical or religious exception with required supporting documentation, to the County Human Resources Director for review and determination on or before Oct. 18, 2021.

Contractors shall provide a certificate of assurance that all of its employees, volunteers and interns are either vaccinated or have an approved medical or religious exception with required supporting documentation on or before October 18, 2021. Contractors shall exclude all employees, volunteers and interns who are not compliant with this policy from all County healthcare settings.

If unvaccinated healthcare providers or healthcare staff receive approval for an exception from this vaccination requirement, the County shall take reasonable steps to ensure these individuals are protected from contracting and/or spreading COVID-19.

Healthcare providers or healthcare staff who are not in compliance with this policy by Oct. 18, 2021, but are in the process of becoming fully-vaccinated or communicate intent to become fully-vaccinated by the end of the grace period, which begins Oct. 19, 2021 and ends Nov. 30, 2021, may utilize available accrued leave in accordance with County Personnel Rules as amended by Board Order and applicable collective bargaining agreements, during the grace period.

If available accrued leave is exhausted during the grace period, healthcare providers and healthcare staff who are in the process of becoming fully-vaccinated, or have communicated an intent to become fully vaccinated, will be placed on approved, unpaid leave through the remainder of the grace period.

At the time the grace period ends, healthcare providers and healthcare staff who have not become fully vaccinated and who have not received an approved religious or medical exception will be officially laid off for failure to meet the essential functions of employment as required by

State law. It is a condition of employment that all employees required by this policy to be vaccinated or to have an approved exception, meet such requirements.

Department Heads shall determine which employees meet the definition of healthcare provider or healthcare staff and shall provide a list to Human Resources, along with written rationale for their determination.

This policy shall apply to individuals who are paid or unpaid who provide direct care, or who could be directly or indirectly exposed to patients, residents or infectious materials.

The County Human Resources Office shall maintain proof of vaccination documents and exceptions in a secure, confidential manner for a minimum of two years. Documentation shall be provided to the Oregon Health Authority upon request.

This policy shall not prohibit the County from making reasonable accommodations in compliance with the Americans with Disabilities Act (ADA) Title VII of the Civil Rights Act or state law equivalents.

Definitions:

Certificate of Assurance: A certificate in a form approved by the County, attesting that the contractor has received either proof of vaccination showing that the healthcare providers and healthcare staff in the County healthcare setting are either fully-vaccinated or have an approved religious or medical exception, and if an exception has been granted, that reasonable steps have been taken to ensure the unvaccinated healthcare providers and healthcare staff are protected from contracting and spreading COVID-19.

Contractor: A person who has healthcare providers and healthcare staff on contract to provide services in a healthcare setting in Oregon.

County Healthcare Settings: Columbia County Jail Medical Unit and any County-run vaccination site or testing site.

COVID-19: Disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Fully Vaccinated: Having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual's final dose of COVID-19 vaccine.

Grace Period: Period between Oct. 19, 2021 and Nov. 30, 2021, when impacted healthcare providers or healthcare staff may utilize available accrued leave, in accordance with County Personnel Rules as amended by Board Order, and applicable collective bargaining agreements, to become fully-vaccinated in compliance with OAR 333-019-1010.

Healthcare Providers and Healthcare Staff: Individuals, paid and unpaid, working, learning studying, assisting, observing or volunteering in a healthcare setting providing direct patient or

resident care or who have the potential for direct or indirect exposure to patients, residents or infectious materials, and includes but is not limited to any individual licensed by a health regulatory board as that is defined in ORS 676.160, unlicensed caregivers, and any clerical, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, student and volunteer personnel.

Healthcare Setting: Any place where healthcare, including physical or behavioral healthcare is delivered and includes, but is not limited to any healthcare facility or agency licensed under ORS chapter 441 and 443, such as hospitals, ambulatory surgical centers, birthing centers, special inpatient care facilities, long-term acute care facilities, inpatient rehabilitation facilities, inpatient hospice facilities, nursing facilities, assisted living facilities, residential facilities, residential behavioral health facilities, adult foster homes, group homes, pharmacies, hospice, vehicles or temporary sites where healthcare is delivered (for example mobile clinics, ambulances), and outpatient facilities, such as dialysis centers, healthcare provider offices, behavioral healthcare offices, urgent care centers, counseling offices, offices that provide complementary and alternative medicine such as acupuncture, homeopathy, naturopathy, chiropractic, and osteopathic medicine and other specialty centers.

Medical Exception: A physical or mental impairment that prevents the individual from receiving a COVID-19 vaccination. A medical exception must be corroborated by a document signed by a medical provider, who is not the individual seeking the exception, on a form prescribed by the Oregon Health Authority, certifying that the individual has a physical or mental impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis, and that specifies whether the impairment is temporary in nature or permanent.

Religious Exception: A sincerely held religious belief that prevents the individual from receiving a COVID-19 vaccination. A religious exception must be corroborated by a document, on a form prescribed by the Oregon Health Authority, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual.

Proof of Vaccination: Documentation provided by a tribal, federal, state or local government, or a healthcare provider, that includes an individual's name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the healthcare provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy of a digital picture of the vaccination record card, or a print-out from the Oregon Health Authority's immunization registry.

Procedure:

RESPONSIBILITY

Supervisor/Department Head

Designated Employees, Interns and
Volunteers Working in Healthcare Setting

HR Director

Designated Employees, Interns and
Volunteers Working in Healthcare Setting

ACTION

1. Determines which employees/volunteers/contractors meet the definition of healthcare provider or healthcare staff. Notifies Human Resources of employees/volunteers meeting the definition. Notifies County Counsel of contractors meeting the definition. Determination/notification is due no later than October 15, 2021. Collects certificates of Assurance and provides to County Counsel no later than October 18, 2021.
2. Upon finalization of this policy and no later than October 18, 2021, provides proof of vaccination or medical or religious exception request/supporting documentation to Human Resources Director.
3. Evaluates submission ensuring it meets the requirements listed in the definitions for proof of vaccination and fully vaccinated, or that exception form is filled out completely with attached required documentation by Oct. 18, 2021. Only electronic copies of the official Oregon Health Authority (OHA) exception form will be accepted. All forms must be completed in full.
4. For any submission that does not meet the requirements listed in item 2, immediately notifies individual with instructions on necessary requirements.
5. Receives/finalizes documentation and places in a secure file location.
6. Notifies supervisor that individual is compliant with vaccination requirement, or has an approved exception and will need additional measures to ensure protection from contracting or spreading COVID-19.
7. If unable to provide proof of being fully-vaccinated by Oct. 18, 2021, provides written notification to HR Director and supervisor that individual is in the process of becoming fully-

vaccinated, or intends to immediately take steps to become fully-vaccinated by Nov. 30, 2021, and would like to utilize accrued leave, or needs approved, unpaid leave to cover absence from work, during grace period.

- 8. (Employee) indicates to HR Director, supervisor and payroll the type of accrued, available leave individual wants to utilize or approved, unpaid leave needed to cover absence from work, during grace period.
 - 9. Verifies accrued leave is available for use and approves use or approved, unpaid leave with individual. Confirms anticipated date of compliance with individual.
 - 10. Moves unvaccinated interns and volunteers to work outside healthcare setting or does not utilize services of intern/volunteer until rule requirements are lifted.
 - 11. Ensures individuals who have received approval for medical or religious exceptions are reasonably protected from contracting or spreading COVID-19.
 - 12. Provides proof of full-vaccination to HR Director on or before, Nov. 30, 2021.
 - 13. Notifies supervisor that individual is compliant with vaccination requirement
 - 14. Places list of designated employees, interns and volunteers and all documentation in a secure file location.
 - 15. If individual (employee) does not become compliant with vaccination requirement by Nov. 30, 2021, processes separation from employment for failure to meet essential functions of employee's position as required by State law.
- Human Resources Director, Payroll
- Supervisor
- Designated Employees, Interns and Volunteers Working in Healthcare Setting
- Human Resources Director

REFERENCE: OAR 333-019-1010; OAR 333-019-1030; APM Chapter 3, Section 52, Issue 8

ATTACHMENTS: Oregon Health Authority COVID-19 Vaccine Medical Exception Request form; Oregon Health Authority COVID-19 Vaccine Religious Exception Request form