**Sample Contract Language including CMS Vaccine Requirement**

***Health Examination and Immunization.*** *Agency shall provide Facility with proof of immunization, health examinations, and tests required by Facility, including but not limited to health examinations (required annually), Tuberculosis screening (required annually), Flu shot (required annually), Rubella and Rubeola Titer, Hepatitis B or declination statement and Varicella history for individuals providing services pursuant to this Agreement.  For the duration of the Centers for Medicare and Medicaid Services Omnibus COVID-19 Health Care Staff Vaccination Interim Final Rule (CMS IFR), issued on November 4, 2021, and any temporary or permanent extension thereof, Agency shall also ensure that all Agency Employees assigned to the Facility are fully vaccinated (as defined in the CMS IFR) against COVID-19 or have applied for and are approved for a medical or religious exemption or temporary delay from the COVID-19 vaccine, pursuant to federal law and consistent with the language in the CMS IFR.  This includes COVID-19 boosters if and when required by CMS.  Agency shall track and securely document: a) Agency Employees’ COVID-19 vaccine and booster status, b) any documentation related to requests and approvals for religious or medical exemptions (including documentation supporting the request and the reason(s) the Agency granted the exemption), c) any temporary delay in vaccination (including documentation supporting criteria for the delay and when vaccine may resume or is schedule), and d) any accommodations made for Agency Employees with approved exemptions or temporary delay.  Agency shall make the documentation available prior to an Agency Employee’s first shift at the Facility and thereafter, upon request of the Facility within one business day of said request.*

Courtesy of:

