

October 2, 2013

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TO: Licensed Acute Care Hospitals, Skilled Nursing Facilities, Long-Term Care Facilities, and Intermediate Care Facilities in Los Angeles County

FROM: Jonathan E. Fielding, M.D., M.P.H., Director and Health Officer, Los Angeles County

RE: Health Officer Order for Annual Influenza Vaccination Programs for Healthcare Personnel or Masking of Health Care Workers during the Influenza Season

To lower the risk of transmission of influenza to patients in licensed acute care hospitals, skilled nursing facilities, and intermediate care facilities in the County, I am issuing this Health Officer Order mandating that these licensed facilities supplement their existing obligation to assist their healthcare personnel (HCP) to obtain influenza vaccinations by requiring that those HCP who decline to be vaccinated wear a mask when they are in contact with patients during the annual influenza season.

Influenza is a highly communicable disease. It exists all year, but infection rates and the severity of symptoms increase markedly during what is commonly called “flu season” in the winter months. Each year, 5 to 15% of the population of the United States is affected by influenza infection, leading to an average of more than 200,000 hospitalizations and 24,000 deaths. Unvaccinated HCP are not only at risk for influenza but can also transmit the virus to their coworkers and patients. Patients in healthcare facilities—most especially young children, pregnant women, elderly, and persons with chronic health conditions—are particularly vulnerable to infection and its subsequent complications.

By law, acute care hospitals in California must annually offer free influenza vaccinations on-site to their employees and require all to be vaccinated; any employee who elects not to be vaccinated must provide the hospital with a written declaration that he or she has declined the vaccination [Cal. Health & Safety Code §1288.7(a)]. In addition, occupational safety regulations mandate that many types of health care facilities, including hospitals, skilled nursing facilities, and long-term health care facilities make 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 [8 Cal. Code Regs. §5199 (c)(6)(D) & (h)(10)]. Despite high rates of compliance with these laws, the ability of HCP to decline vaccination means that vaccination rates for seasonal influenza fall far short of the 90% target set by “Healthy People 2020.” In Los Angeles County, rates of HCP vaccination are 40-60%. In contrast, policies mandating vaccination or masking have been shown to raise vaccination rates among HCP above 95%.

ORDER: Pursuant to my authority under §120175 of the California Health and Safety Code, I hereby order every licensed acute care hospital, skilled nursing facility, and intermediate care facility within the County of Los Angeles public health jurisdiction to implement a program under which healthcare personnel at such facility receive an annual influenza vaccination for the current season or wear a mask for the duration of the influenza season while in contact with patients or working in patient-care areas.

PERSONS COVERED: For the purposes of this Order, “health care personnel” are all persons, including paid and unpaid employees, contractors, students, and volunteers, who work in areas where patient care is provided in a licensed facility subject to this Order or who otherwise have direct contact with patients at such a facility.

DURATION OF ORDER: Until it is rescinded, this Order applies to each influenza season, defined as November 1 of one year to March 31 of the following year. If surveillance data in a particular year demonstrate that the influenza season is different than November 1 to March 31, this period may be changed by a further order.

The Los Angeles County Department of Public Health shares with the county’s healthcare professionals and facilities the goal that our population receives safe and effective care. We trust that all facilities subject to this Order will comply fully with it and will notify their HCP of its provisions. We hope that HCP in other facilities, such as physicians’ offices, will follow the strong recommendation that they voluntarily adopt the same protective procedures.

Health Officer Order Resources

For additional information regarding this Health Officer Order, the following documents can be found at the Los Angeles County Department of Public Health, Immunization Program website at <http://publichealth.lacounty.gov/ip/>

- Fact Sheet: Influenza Vaccination for Healthcare Personnel
- Frequently Asked Questions about Influenza Vaccinations

Further questions may be directed to the Los Angeles County Department of Public Health, Immunization Program at (213) 351-7800 or e-mail to ip@ph.lacounty.gov.

Attachment to this Document: Supporting Rationale for Requiring Influenza Vaccination or Masking for Healthcare Personnel