

January 19, 2022

## VACCINE MANDATE AND HEALTHCARE EMPLOYERS

**Attention Healthcare Employers:** As you have probably already seen, on Thursday, January 13<sup>th</sup> the Supreme Court entered a stay barring the enforcement of the Biden Administration's OSHA ETS vaccinate-or-test mandate. At the same time, however, the Court ruled that a separate federal vaccination mandate known as the CMS Mandate, was lawful and that enforcement of it could proceed. The stay barring enforcement of the vaccine mandate has direct implications for healthcare employers.

The CMS Mandate provides that facilities that receive federal Medicare and Medicaid payments must ensure that all of their covered staff are vaccinated against COVID-19. There are of course, carve-outs to the CMS Mandate, including ones for individuals with medical or religious exceptions.

Our **Employment Practice Group** is keeping up to date with all changes and updates in regard to COVID-19 and the CMS Mandate, and will continue to provide updates. If your organization is a recipient of federal Medicare or Medicaid funding and you wish to discuss the implementation of a policy or the analysis of exceptions to it, give us a call at 704.332.1181 or complete our **General Contact Form**.

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