

NEW YORK STATE – DEPARTMENT OF HEALTH

INTEROFFICE MEMORANDUM

TO: *EMS Agencies and Personnel

FROM: Edward G. Wronski, Director
Bureau of Emergency Medical Services

SUBJECT: Health Care Personnel Influenza Vaccination
Requirements

DATE: October 7, 2009

There remains some confusion and concern among EMS Providers and Agencies regarding the applicability of the recent changes to Part 66 regulations regarding Health Care Personnel Influenza Vaccination Requirements and how they apply to EMS.

The Bureau of EMS requested a clarification of this health care regulation as it applies to EMS agencies. The following is a summary of the response provided by the Department of Health's Division of Legal Affairs which we hope will clarify some of these questions.

1. Are EMS personnel mandated to receive flu vaccination under the recently enacted healthcare facility regulations?

- EMS personnel who are employed by a hospital-owned ambulance service or ALS first response service must be vaccinated for the flu.
- EMS agencies that have a contract with a healthcare facility to provide transport of patients are mandated to have their employees who provide these transports vaccinated. (*Contracted EMS Agencies are encouraged to review their staffing practices as it relates to the conditions of these contracts and requirements of this regulation*).
- EMS services that respond in the 9-1-1 system and do not have a contractual relationship with a healthcare facility as described above are not required to be vaccinated. *They are strongly encouraged to be vaccinated.*

2. Will the mandate include H1N1 Vaccine?

Yes. As soon as H1N1 vaccine is made available, EMS personnel and agencies that fit the criteria in *Question One* will be mandated to have H1N1 vaccination. They are also required to have the regular seasonal flu vaccination.

3. Do all EMS students who have clinical rotations at a Healthcare institution covered under Part 66 have to be vaccinated?

- *Yes.* Any EMS student, who is doing clinical or internship rotations at a Healthcare institution, even if they do not work for an EMS service, must be vaccinated with a seasonal flu shot and H1N1 when it is available. This includes BLS or ALS clinical and internship rotations. *(EMS Course Sponsors are encouraged to review their clinical agreements as it relates to the requirements of this regulation)*

4. Should all other EMS personnel who have patient contact be vaccinated?

Yes they should - While not mandated beyond the circumstances stated above, EMS personnel have been identified by the Department of Health and Human Services (HHS) as a high priority group to be vaccinated. It is highly recommended by the NYS Department of Health that all healthcare workers who work with patients, including EMS, be vaccinated with seasonal flu vaccine and H1N1 vaccine.

The New York State Department of Health Call Center Line for Novel H1N1 Flu questions and concerns is: 1-800-808-1987.

*EMS Program Agencies

Regional DOH Offices

Regional Emergency Medical Service Council

State Emergency Medical Services Advisory Committee

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