



County of San Diego


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PUBLIC HEALTH OFFICER

DATE: November 28, 2022

TO: Acute Care Hospitals, Ambulatory and Community Clinics, Emergency Medical Service Agencies, Long-Term Care and Skilled Nursing Facilities, and Private Physician Practices

FROM: Wilma J. Wooten, M.D., M.P.H., Health Officer, Public Health Services 

SUBJECT: Reminder of 2017 Health Officer Order for Mandatory Influenza Vaccination or Masking of Healthcare Personnel during Annual Influenza Season

Rationale

This document provides an update of influenza statistics since the last year' flu season and serves as a rationale document for the *Health Officer Order for Mandatory Influenza Vaccination or Masking of Healthcare Personnel during Annual Influenza Season*. The original version is dated November 4, 2014, with the most recent version dated November 1, 2017, updated to include private physician practices and emergency medical service agencies, which includes emergency medical technicians (EMTs), advanced EMTs, and paramedics.

Since 2010, the Centers for Disease Control and Prevention (CDC) estimates that each year, influenza results in between 9.3 million and 45 million illnesses, between 140,000 and 810,000 hospitalizations, and between 12,000 and 61,000 deaths. During the 2021-2022 flu season, the CDC estimated 9 million people were ill with influenza. 4 million people visited their healthcare provider, 100,000 people were hospitalized and about 5,000 flu deaths were recorded.

San Diego County reported 343, 77, and 108 influenza-related deaths, for influenza seasons 2017-18, 2018-19, and 2019-20 respectively. The 2020-2021 flu season aligned with the COVID-19 pandemic when stay at home orders and masking mandates were in place, resulting in 844 cases and 2 deaths. For the 2021-22 flu season, there were 4.192 cases and 8 deaths. (Source: San Diego County Epidemiology Unit).

Persons with chronic medical conditions, infants and children, seniors, and pregnant women are at greater risk for severe influenza-related illnesses and deaths. All healthcare personnel (HCP) are at risk for both contracting influenza and transmitting the virus to their vulnerable patients. Patients in our healthcare facilities are especially vulnerable to influenza. Therefore, vaccination of HCP protects patients and reduces employee absenteeism during influenza season.

CDC recommends that all HCP, including physicians, nurses, paramedics, emergency medical technicians, employees of nursing homes and chronic care facilities, students in these professions, and volunteers, should receive annual vaccination against influenza.

There are now two legislative actions in California requiring that general acute care hospitals and certain employers offer influenza vaccinations to employees:

- 1) California Health and Safety Code §1288.7 (a) effective July 1, 2007 and affecting acute care hospital staff, and
- 2) California Code of Regulations, Title 8, §5199 (c) (6) (D) and (h) (10), Aerosol Transmissible Diseases standard of CalOSHA; effective September 1, 2010, and affecting a broader range of healthcare workers.

If hospital employees decline vaccination, they are required to sign a declination statement in lieu of vaccination. While compliance rates with these State laws are high, actual HCP vaccination rates are not optimal and may be below the level necessary to reduce the spread of infection in our healthcare facilities. In San Diego County, during the 2020-21 influenza season (the latest data available), hospital rates of influenza vaccination of employees were 84%. For selected categories of other contract personnel in a few San Diego County hospitals, vaccination rates were as low as 33%. (Source: Influenza Vaccination Among Healthcare Personnel in California Hospitals, 2020-21.)

According to national CDC estimates for the 2020-2021 influenza season, vaccination uptake was higher in facilities with institutional requirements for influenza vaccination of employees, 95.9%, compared to as low as 46.0% for workplaces which did not require, promote, or offer influenza vaccinations. Although Healthy People 2020 targeted a 90% seasonal influenza vaccination rate for all HCP, influenza vaccination rates for HCP were well below the target. Healthy People 2030 emphasizes improving influenza vaccination rates and targets a 70% seasonal influenza vaccination rate for all persons 6 months and older. For hospital accreditation requirements, the Joint Commission will review organizations based on actions taken to improve vaccination rates and processes in place to achieve goals.

Order

Pursuant to my authority under §120175 of the California Health and Safety Code, I, as the Health Officer of the County of San Diego, hereby order that licensed acute care hospitals, ambulatory and community clinics, emergency medical service agencies, long-term care and skilled nursing facilities, and private physician practices in San Diego County implement a program requiring its healthcare personnel to receive an annual influenza vaccination, or if they decline, wear a mask for the duration of the influenza season, while in contact with patients or working in patient care areas. This Health Officer Order was issued in 2014 and again in November 1, 2017 to add more health professional categories.

Persons Covered

“Healthcare 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 or unlicensed facility subject to this Order, or who, otherwise, have direct contact with patients at such a facility. Healthcare personnel includes, but is not limited to, physicians (e.g., in private practice or healthcare systems), nurses, nursing assistants, therapists, technicians, emergency medical service personnel, dental personnel, pharmacists,

laboratory personnel, autopsy personnel, students and trainees, contractual staff not employed by the health-care facility, and persons (e.g., clerical, dietary, housekeeping, laundry, security, maintenance, administrative, billing, and volunteers) not directly involved in patient care, but potentially exposed to infectious agents that can be transmitted to and from healthcare workers and patients. For the purposes of this Order, emergency medical service personnel include paramedics, emergency medical technicians (EMTs), and advanced EMTs. Physicians who are licensed independent practitioners are also considered healthcare personnel, as are employees of nursing homes and chronic care facilities, students in those professions, volunteers, and ancillary personnel who provide services within six feet of a patient.

Duration Of Order

This order is ongoing indefinitely and applies to this and each future influenza season unless the order is rescinded. The influenza season is defined as November 1 to March 31 of the following year. In any given year, if influenza surveillance data demonstrate unusually early and/or late peaks, the Health Officer may extend the period during which the masking program shall apply for that year. In such case, the Health Officer shall communicate this change in writing to all affected facilities and agencies.

The San Diego County Health and Human Services Agency (HHSA) Public Health Services department (local health department) shares with all healthcare professionals, facilities, and agencies the expressed goal of assuring that our local population receives safe and effective care. We trust that all settings, subject to this Order, will comply fully with it and will notify their HCP of its provisions.

Health Officer Order Resources

For additional information regarding this Health Officer Order, the following documents can be found at the County of San Diego, HHSA Public Health Services, Immunization Program website at <https://www.sandiegocounty.ca.gov/iz>

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

Further questions may be directed to the County Immunization Unit at (866) 358-2966 or e-mail to IZINFO.HHSA@sdcounty.ca.gov

See Attachment To This Document: *Supporting Rationale for Requiring Influenza Vaccination or Masking for Healthcare Personnel*