



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES

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M E M O R A N D U M

DATE: February 25, 2022

TO: Michigan Licensed EMS Agencies

FROM: Emily Bergquist, Director, MDHHS Division of EMS and Trauma

CC: Larry Horvath, Director, Bureau of Community and Health Systems
Department of Licensing and Regulatory Affairs

SUBJECT: Expectations for EMS Agencies Regarding Vaccination and CMS
Emergency Rules

The Centers for Medicare and Medicaid Services (CMS) issued interim rules regarding COVID-19 vaccination for certain types of health care facilities. While EMS agencies are not directly affected by these rules, many of the health care facilities and providers that EMS interacts with do have to comply. Because of this, questions have been posed about EMS personnel vaccination and how these rules would be applied. After consultation with Licensing and Regulatory Affairs (LARA), there are some answers that can be shared.

LARA, as the enforcement agency to the facilities that are subject to these rules, does not have any expectation that the rules apply to emergency response. LARA does not expect that facilities of any type would have documentation of vaccination status of EMS agencies that do not provide scheduled or contracted services. EMS personnel, of all levels, responding to emergency calls should not be detained from reaching patients. They should, however, continue to follow infection prevention best practices and should not be entering facilities without at least an N95 respirator or equivalent in place, regardless of vaccination status of personnel.

For those EMS agencies that provide non-emergency interfacility and/or scheduled transports, it is expected that facilities will be requiring you to supply them with, at least, an attestation of your compliance with the CMS interim rules. At this point, LARA will be accepting an attestation of an agency's compliance for the facility's files, but that may change.

The expectation is that facilities will be dealing with agency administration, and that individuals who are taking care of patients will not be deterred from caring for patients appropriately. If issues are encountered, agency leadership and Medical Control Authorities should work together with the facilities to ensure quality and safe experiences for patients.