

COVID-19 Vaccination Requirement (Proclamation 21-14.1) for health care providers, workers and settings

Link to proclamation: [21-14.1 - COVID-19 Vax Washington](#)

General Proclamation Questions

What does Proclamation 21-14.1 do?

Proclamation 21-14.1, issued by Governor Inslee on August 20, 2021, made numerous changes to Proclamation 21-14, issued by Governor Inslee on August 9, 2021, but left the same core requirements in place. As before, the proclamation requires health care providers, defined broadly to include not only licensed health care providers but also all employees, contractors, and volunteers who work in a health care setting, to be fully vaccinated against COVID-19 by October 18, 2021. It also requires operators of health care settings to verify the vaccination status of:

- a) Every employee, volunteer, and contractor who works in the health care setting, whether or not they are licensed or providing health care services, and
- b) Every employee, volunteer, and contractor who provides health care services for the health care setting operator.

On what legal grounds can this be imposed?

In response to the emerging COVID-19 threat, Governor Inslee declared a state of emergency on February 29, 2020, using his broad emergency authority under chapter 43.06 RCW. More specifically, under RCW 43.06.220, after a state of emergency has been declared, the governor may prohibit any activity that they believe should be prohibited to help preserve and maintain life, health, property or the public peace. Under an emergency such as this, the governor's paramount duty is to protect the health and safety of our communities.

Staff have been successful in keeping infection rates low with safety precautions such as social distancing, hand washing, and mask wearing; why is this needed?

While those practices are important, vaccines are the strongest tool in our toolbox to fight COVID-19. Frontline workers across the private sector have continued working since the initial "Stay home, Stay Healthy" order. They, rightfully, are becoming weary of the day-to-day stress of high and dangerous caseloads. Significant efforts have been made to address workplace safety in the face of COVID-19, a new workplace hazard. Even with all of those safety efforts,

we did not curtail all outbreaks. The threat of COVID-19 is evolving as new more easily transmitted and aggressive variants become prevalent in our state. We now have the tool of COVID-19 vaccines, which is the single most effective resource to combat spread and prevent illness and death.

When will this be in effect?

The first version of the order was effective as of August 9. The deadline to become fully vaccinated is October 18, 2021. In order to be considered fully vaccinated by October 18, you must receive your *second* dose in a two-dose COVID-19 vaccine series or a dose of a single-dose vaccine approved or authorized for emergency use by the FDA or WHO on or before October 4, 2021. If you do not meet these deadlines, including by providing proof to the operator of health care setting where you work, then you are not permitted to work there, unless the operator has provided you a disability or religious accommodation.

To whom does the proclamation apply?

The proclamation requires “health care providers” to get vaccinated. This term is defined broadly to include more than just licensed health care providers. It includes:

- Individuals holding a license, certification or registration from the Washington State Department of Health, listed [here](#), who are actively practicing or providing services to people.
- Individuals who are permitted by law to provide health care services in a professional capacity without holding a credential from the Department of Health and are actively providing services to people.
- Long-term care workers, with limited exceptions described below.
- On-site workers in any health care setting, regardless of whether they are licensed or providing health care services (for example administrative support staff who work in person in a clinic or cleaning service workers). On-site workers include employees, contractors, and volunteers engaged in work in a health care setting.

New

If a health care provider is authorized to practice in Washington under a temporary workforce recognition, or volunteer registry, does the vaccine mandate apply to them?

Yes. Individuals such as these who are permitted by law to provide health care services in a professional capacity without holding a credential are health care providers subject to the proclamation.

To whom does the proclamation not apply?

- Health care providers/workers working only in the following settings are not required to be vaccinated under the proclamation:
 - Settings where sports and spectator events or other gatherings are held (including when credentialed athletic trainers are providing care to players), excluding areas primarily used for the delivery of health care services, such as designated first aid areas (which are Health Care Settings)

- Department of Children, Youth & Families (DCYF)-licensed foster homes that do not primarily provide health care services
- Research facilities where no health care is delivered to people
- Veterinary health care settings
- Animal control agencies
- Non-profit humane societies
- Health care providers who are not actively practicing or providing services are not required to be vaccinated under the proclamation.
- Additionally, the proclamation does not apply to individuals who provide only personal care services, as defined in [RCW 74.39A.009\(24\)](#), in people's homes. Personal care services are defined as physical or verbal assistance with activities of daily living and instrumental activities of daily living provided because of a person's functional disability ([RCW 74.39A.009\(24\)](#)).

New

If an entity employs or contracts with health care providers to provide health care services in other locations but does not itself operate a health care setting, is the entity required to verify the vaccination status of those health care providers?

No, only an entity that operates a setting where health care is delivered in person is required to verify the vaccination status of the workers in that setting and of health care providers who work for them. However, those health care providers are themselves required to provide proof of vaccination to the entity.

How is health care setting defined?

For the purposes of the proclamation, a health care setting is any public or private place that is primarily used for the delivery of in-person health care services to people, unless specifically exempted by the proclamation.

If the location is primarily used for the delivery of health care services, such as a hospital, then the entire facility is a health care setting.

Other businesses and facilities may have a section of their location that is considered a health care setting, such as a pharmacy within a grocery store, school nurse's office, massage treatment area within a spa, or vaccination clinic within a business establishment. In this situation, the health care setting includes only the areas that are primarily used for the delivery of health care. Other areas of the facility are not considered health care settings.

Health care settings include, but are not limited to:

- Acute care facilities, including, but not limited to, hospitals
- Long-term acute care facilities
- Inpatient rehabilitation facilities
- Inpatient behavioral health facilities, including, but not limited to, evaluation and treatment facilities, residential treatment facilities, and secure detox facilities
- Residential long-term care facilities, including, but not limited to, nursing homes, assisted living facilities, adult family homes, settings where certified community residential services and supports are provided, and enhanced services facilities

- Mobile clinics or other vehicles where health care is delivered, such as ground and air ambulances
- Outpatient facilities, including, but not limited to, dialysis centers, physician offices, behavioral health facilities, behavioral health agencies and private/group practice behavioral health settings (including offices of psychiatrists, mental health counselors, and substance use disorder professionals)
- Dental and dental specialty facilities
- Pharmacies (not including the retail areas)
- Massage therapy offices (this includes designated areas where massage is administered within non-health care settings like spas and wellness/fitness centers)
- Chiropractic offices
- Midwifery practices and stand-alone birth centers
- Isolation and/or quarantine facilities
- Ambulatory surgical facilities
- Urgent care centers
- Hospice care centers
- Blood collection facilities

Is a local health jurisdiction/department a health care setting?

All licensed health care providers or people authorized to provide health care without a credential who work for these entities must meet the requirement regardless of whether they work in a health care setting operated by the local health jurisdiction. Other staff would need to be vaccinated if they are working in a location that is operated by the local health jurisdiction primarily for health care delivery, and therefore, would be considered a health care setting under the proclamation.

Does the proclamation apply to tribal health care settings?

No. The proclamation extends to Washington-licensed health care providers wherever they practice since they hold a state-issued credential. But the obligation for a health care setting operator to verify the vaccination status of health care providers engaged in work for them doesn't apply to tribal health care settings.

Does this apply to licensed health care providers who only provide telehealth services?

Yes. All individuals who hold a health care profession credential on this [list](#) and are actively practicing or providing services to people are subject to the vaccination requirement regardless of where they work.

Health Care Providers/Workers FAQs

Proof of Vaccination Status:

What documentation do I need to provide to prove my vaccination status?

If you work in a health care setting, you must provide proof of full vaccination against COVID-19 to the operator of that health care setting. [Acceptable proof](#) includes one of the following:

- CDC COVID-19 Vaccination Record Card or photo of the card
- Documentation of vaccination from a health care provider or electronic health record
- State Immunization Information System record
- WA State Certificate of COVID-19 Vaccination from [MyIRmobile.com](https://myirmobile.com)
- If vaccinated outside the United States, a reasonable equivalent of any of the above

Personal attestation is not an acceptable form of verification.

Can I attest to being vaccinated in lieu of showing proof?

No. Personal attestation is not an acceptable form of verification of COVID-19 vaccination.

Is there any way to opt out of vaccination?

If you are entitled under applicable law to a disability-related reasonable accommodation or sincerely held religious belief accommodation, then you are exempt from the proclamation. If you are not entitled to an accommodation, then there is no way for a health care provider to opt out of the vaccination requirement in the proclamation.

I am a self-employed health care provider. How do I show I have complied with this requirement?

If you perform work in a health care setting, you are required to provide proof of your vaccination to the operator of that setting to continue working there after October 18, 2021. If you operate the health care setting in which you work or do not perform work for the operator of a health care setting, you must maintain your own proof and have it available should a lawful authority request it.

What lawful authorities may request proof of vaccination?

Lawful authorities include, but are not limited to, law enforcement, local health jurisdictions, the Washington State Department of Health, the Washington State Department of Labor & Industries, and, for long-term care settings, the Washington State Department of Social and Health Services.

I have had COVID-19 and believe I have natural immunity. Do I still have to be fully vaccinated?

Yes. The proclamation does not provide an exemption for individuals who have previously been infected with COVID-19. Experts do not yet know how long you are protected from getting sick again after recovering from COVID-19 and recommend getting vaccinated regardless of whether you already had COVID-19. People are able to get sick with COVID-19 again after they've already had it. Studies have shown that vaccination provides a strong boost in protection in people who have recovered from COVID-19.

Vaccination Status and Work

If I start work in a health care setting after October 18, 2021, will I need to be fully vaccinated before I can start work?

Yes. After October 18, 2021, an operator of a health care facility cannot allow a health care provider to start working for them as an employee, volunteer, or contractor unless they're fully vaccinated against COVID-19.

What happens if **I can't get the vaccine because** I was infected with COVID-19 just prior to starting work?

If you are unable to comply with the requirement to be fully vaccinated by October 18 because (a) you were infected with COVID-19 in the weeks immediately preceding the deadline or (b) you had an adverse reaction to the first dose of the vaccine, talk the operator of the health care setting where you are working about their reasonable accommodation process.

What happens if I choose not to be vaccinated and have not received an accommodation?

After October 18, 2021, if you are covered by this proclamation and you have not provided the operator of the health care setting where you work with acceptable proof of full vaccination against COVID-19 or been approved for an accommodation, then the health care setting operator can no longer legally allow you to perform work for them. Failure to comply with the proclamation is a gross misdemeanor subject to the jurisdiction of law enforcement agencies. Violations may also result in civil enforcement action.

Will the Department of Health verify I am vaccinated when I apply for or renew my health care credential?

No. The operator of any health care setting where you work as an employee, volunteer, or contractor is responsible for verifying your vaccination status.

Will my credential be suspended or revoked if I do not receive the vaccine?

The Department of Health, along with the boards and commissions that regulate health care providers, will follow their normal complaint and investigation processes regarding legal requirements for credential holders. Depending on the circumstances, this could include taking action against a provider's credential following a complaint.

I have a credential from the Department of Health but **I'm not currently working** as a health care provider. Am I required to receive the vaccine?

No. If you are not currently providing services or practicing you are excluded from the vaccine requirement.

Should I send my proof of vaccination to the Department of Health?

No. Your employer should provide information on how to verify your vaccination status.

Does This Proclamation Apply to Me?

I am a health care provider or other worker in a publicly funded health care setting. Am I required to be vaccinated?

Yes. The proclamation applies to all health care providers and workers in health care settings, regardless of public or private ownership.

I am a Washington-licensed health care provider working in a tribal health care setting. Am I required to be vaccinated?

Yes.

I am a Washington-licensed health care provider working in a federal health care setting. Am I required to be vaccinated?

Yes.

I am a health care provider that works in a non-health care setting. Am I required to be vaccinated?

If you hold a health care profession credential on this [list](#), are authorized to practice in a professional capacity without a credential, or are a long-term care worker, and you are actively practicing or providing services to people, you are subject to the vaccination requirement regardless of where you work.

I work in **clients' or patients'** homes. Am I required to be vaccinated?

It depends. The proclamation does not apply to individuals who provide only personal care services, as defined in [RCW 74.39A.009\(24\)](#), in people's homes.

Individuals with a Department of Health credential who only provide assistance with activities of daily living in a client or patient's home are not required to be vaccinated under the proclamation. For example, a family member working under contract as an individual provider providing personal care services to another family member is not required to be vaccinated.

Credentialed individuals who provide services beyond personal care or provide personal care services in health care settings outside clients' or patients' home must meet the vaccination requirement.

I am a student in a health profession training program; does this requirement apply to me?

Yes. If you are training in a health care setting or hold a credential from the Department of Health in a type of profession listed [here](#), you must be vaccinated.

I am participating in a COVID-19 vaccine clinical trial; does this requirement apply to me?

If you are unable to get fully vaccinated by October 18, 2021, due to the requirements of your participation in a COVID-19 vaccine clinical trial, you are exempt from the Governor's proclamation. If you work as an employee, contractor, or volunteer for the operator of a health

care setting, you must provide documentary proof of your participation in the trial to the operator by October 18, 2021, or the operator is prohibited from permitting you to continue working for them.

I volunteer in a health care setting, but I am not old enough to get a COVID-19 vaccine; does this requirement apply to me? What about when I do become old enough?

If you are a health care provider, perhaps because you volunteer in a health care setting, and you are not old enough to get vaccinated, you are exempt from the Governor's proclamation. If you become old enough to get vaccinated, you have to get fully vaccinated within 60 days of when you became eligible.

I am a firefighter. Do I qualify as health care providers required to get vaccinated?

Firefighters who hold an emergency medical technician (EMT), paramedic, or other health care profession certification or credential are health care providers covered by the proclamation. The aid/medic units that they primarily use for delivering health care services are health care settings, so the agencies that operate those units are required to verify the vaccination status of the firefighters (and other individuals) who work in those units.

Does the requirement apply to staff who provide maintenance services on licensed EMS aid and ambulance units during times when units are not actively being used for patient care?

Yes, licensed EMS aid and ambulance service units that are primarily used for providing health care services are health care settings, and the individuals who work in and on those units are considered health care providers under proclamation 21-14.1.

Is an individual a health care provider if they are authorized by law to provide health care services without a credential but providing health care services is not part of their primary duties (e.g., a law enforcement officer or a jail staff member who is not licensed and does not work in a jail health care settings)?

No, an individual who legally may provide health care services without a credential but whose primary job duties do not involve providing health care services is not a health care provider and is not required to get vaccinated under the proclamation. This includes law enforcement officers, jail staff members who do not hold health care profession licenses or regularly work in jail health care settings, or rural, volunteer firefighters who rarely or never go on emergency calls.

Health Care Setting Operator FAQs

Verification of Vaccination Status

As a health care setting operator, what groups of people am I required to verify the vaccination status of?

An operator of a health care setting must verify the vaccination status of:

- Every employee, volunteer, or contractor who works in the health care setting, whether or not the person is licensed or provides health or long-term care services.
- Every employee, volunteer, or contractor who provides health or long-term care services for the health care setting operator, whether in a health care setting or not.

Vaccination verification is not required for visitors, patrons, clients or patients.

Do I only have to verify the vaccination status of the licensed health care providers who work for me?

No, you must verify the vaccination status of every employee, volunteer, and contractor who engages in work in your health care setting, regardless of whether the particular individual is licensed or provides health care services. You must also verify the vaccination status of every employee, volunteer, and contractor who works for you providing health or long-term care services, whether they provide those services in your health care setting or elsewhere. The proclamation uses the term “health care provider,” but it is broadly defined to include more than licensed health care providers.

Health Care System Operator Responsibilities & Documentation

What documentation do my employees, volunteers, and contractors need to provide to prove their vaccination status?

[Acceptable proof of full vaccination](#) against COVID-19 includes one of the following:

- CDC COVID-19 Vaccination Record Card or photo of the card
- Documentation of vaccination from a health care provider or electronic health record
- State Immunization Information System record
- WA State Certificate of COVID-19 Vaccination from [MyLRmobile.com](https://mylrmobile.com)
- If vaccinated outside the United States, a reasonable equivalent of any of the above

Personal attestation is not an acceptable form of verification.

Valid CDC vaccination cards and WA State Certificates of COVID-19 Vaccination should include all the following information: product name, date of dose(s), vaccine lot number, patient’s date of birth, the clinic/location or medical provider’s name, and possibly an IIS reference number.

[DOH has guidance for how to verify CDC vaccination cards and other types of proof of vaccination available online.](#)

[DOH has resources about vaccine verification and proof of vaccine in multiple languages available online.](#)

Do health care setting operators need to retain a copy of whatever proof is used to demonstrate vaccination?

No. The health care setting operator is not required to retain a copy of the proof of vaccination as long as they are tracking the vaccination status of workers in a reliable manner.

Does Department of Health need to receive a copy of my employees' proof of vaccination, or mine if am a self-employed health care provider?

No. Please do not send copies of vaccine records or status to the Department of Health.

Is frequent testing an alternative to vaccination for a health care provider who works for me as an employee, volunteer, or contractor?

No. If an individual does not qualify for an accommodation, they must get vaccinated. Testing is not an allowed alternative.

If an individual qualifies for an accommodation, they are exempt from the requirement to get vaccinated. Testing may be an option for an operator of a health care setting to consider for individuals entitled to accommodations.

I have employees, volunteers, and contractors requesting exemptions. Under what circumstances may I grant those?

The proclamation requires health care setting operators to provide disability-related reasonable accommodations and sincerely held religious belief accommodations to the requirements of the proclamation as required by the Americans With Disabilities Act (ADA), Title VII of the Civil Rights Act of 1964 (Title VII), the Washington Law Against Discrimination (WLAD), and any other applicable law. Health care setting operators may follow their pre-existing accommodation processes, provided they comply with applicable law.

Any accommodations provided must, to the extent permitted by law, require the individual to take COVID-19 safety measures that are consistent with DOH recommendations for the setting in which the individual works.

Health care setting operators must follow the accommodations processes required by law and are prohibited from providing accommodations that they know are based on false, misleading, or dishonest grounds or information or are actually based on personal preference. They are likewise prohibited from providing accommodations without conducting an individualized assessment and determination of each individual's need and justification for an accommodation, i.e., "rubberstamping" accommodation requests.

New How do self-employed or private practice providers apply for an accommodation to the vaccination requirement?

A health care provider who is unable to get vaccinated because of a disability or a conflict with their sincerely held religious beliefs, practice, or observance is exempt from the vaccination requirement. If a health care provider works for an operator of a health care setting, they must request an accommodation from the operator. If they do not work for an operator of a health care setting, then they are not required to seek approval of an accommodation from any other party, but they must ensure that their exemption is not based on false, misleading, or dishonest grounds.

What is a disability?

"Disability" is defined in the laws noted above and includes certain medical conditions and other sensory, mental, and physical impairments.

For example, the CDC recommends delaying or avoiding COVID-19 vaccination due to certain [clinical considerations](#), such as ongoing recovery from COVID-19 infection or a prior severe allergic reaction after a previous dose or to a component of a COVID-19 vaccine. Those clinical considerations may be disabilities justifying an accommodation.

Can an unvaccinated health care provider who is exempt from the vaccination requirement due to an accommodation still provide direct patient care?

It depends. Whether an appropriate reasonable accommodation for an unvaccinated health care provider includes continuing to provide direct patient care will depend on the person's disability, limitations, duties, and work setting and be determined through an interactive process. Any accommodations provided must, to the extent permitted by law, require the individual to take COVID-19 safety measures that are consistent with [DOH recommendations for the setting in which the individual works](#).

In the case of a contractor working in my facility, can I rely on the employer of **the contractor to verify their employees' vaccination status?**

Yes, a health care setting operator may elect to require the employer of a contractor who is subject to the proclamation to assume responsibility for the vaccination verification and accommodations requirements for their contractor-employees. The election may be made with respect to any or all of an employer's contractor-employees.

The employer must meet the following requirements:

- By October 18, 2021, the employer must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every current employee who is subject to the vaccination requirement in this Order.
- The employer must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every employee hired after October 18, 2021 who is subject to the vaccination requirement in this Order.
- The employer must follow the requirements for granting disability and religious accommodations to its current and future employees that apply to State Agencies, operators of Educational Settings, and operators of health care settings under this Order.
- By October 18, 2021, the employer must submit to the State Agency, operator of the educational setting, or operator of the health care setting a signed declaration in substantially the form prescribed in RCW 5.50.050 declaring that the employer has met the above requirements.
- The employer must submit additional signed declarations upon the request of and by the date designated by the State Agency, operator of the educational setting, or operator of the health care setting.
- If an employer is also a contractor subject to this Order, the employer must include in their declaration that the employer is fully vaccinated against COVID-19 or is unable to get vaccinated because of a disability or a conflict between the vaccination requirement and their sincerely held religious beliefs, practice, or observance, as applicable.
- The employer must cooperate with any investigation or inquiry the State Agency, operator of the educational setting, or operator of the health care setting makes into

the employer's compliance with these requirements, including by providing information and records upon request, except any information or records that the employer is prohibited by law from disclosing.

Any State Agency, operator of an educational setting, or operator of health care setting who makes the election above retains the right to investigate or inquire into the employer's compliance with the above requirements, to obtain proof of vaccination directly from any contractor-employee, and to withdraw the election in whole or in part at any time.

Do senior centers that do not qualify as health care settings need to verify the vaccination status of vendors who come to provide health care services in areas of the facility?

Yes. The senior center needs to verify vaccination status of workers in the designated area that is a health care setting, and other workers providing health care services for the senior center. The senior center may also elect to require the employer of a contractor who is subject to the proclamation to assume responsibility for the vaccination verification and accommodations requirements for their contractor-employees, assuming the employer meets the requirements listed in the previous question.

Does the mandate apply to vendors who do not primarily work in health care settings but are periodically on-site to deliver goods and materials?

No, provided that the vendor is present at the health care setting for only a short period of time and any moments of close physical proximity to others on site are fleeting.

What documentation must I obtain when an employee, volunteer, or contractor requests a disability-related reasonable accommodation to the vaccine requirement?

The proclamation requires that, to the extent permitted by law, before providing a disability-related reasonable accommodation, a health care setting operator obtain from the individual requesting the accommodation documentation from an appropriate health care or rehabilitation professional stating that the individual has a disability that necessitates an accommodation and the probable length of time that the accommodation will be needed.

Who is considered an appropriate health care professional for the purposes of requesting a disability-related reasonable accommodation?

The appropriate professional in any particular situation will depend on the disability and the type of functional limitation it imposes. Under state law, health care professionals may diagnose and treat only those conditions within the scope of their license and the laws governing their profession.

What documentation must I maintain when an employee, volunteer, or contractor requests a religious accommodation to the vaccine requirement?

The proclamation requires that, to the extent permitted by law, before providing a sincerely held religious belief accommodation, the health care setting operator document that the request was made. This document must include a statement regarding the way in which the

requirements of this order conflict with the religious observance, practice, or belief of the individual. The statement may be provided in writing by the requestor or documented by the operator based on information provided by the requestor, in compliance with applicable law.

If an employee, volunteer, or contractor refuses to provide proof of vaccination, do I need to terminate their employment?

Under the proclamation, after October 18, 2021, you are prohibited from permitting a health care provider to engage in work for you as an employee, volunteer, or contractor if the individual has not been fully vaccinated against COVID-19 and provided proof of vaccination to you or been approved for a medical or religious accommodation.

If an employee refuses to be vaccinated and refuses to return to work due to **being “high risk,” are employers** required to protect their jobs?

The employer should consult their legal counsel.

Are visitors, patients or family members required to be vaccinated?

Only visitors, patients, and family members who are health care providers who fall under the proclamation. Operators of health care settings are not required to verify the vaccination status of a visitor, patient, or family member unless the individual also happens to be a health care provider working for the operator as an employee, volunteer, or contractor. Health care setting operators can set their own vaccination policies for visitors and patients.

Other Considerations for Health Care Setting Operators:

What do I do if individuals who are not my employees do not provide proof of vaccination?

A health care setting operator is prohibited from allowing an employee, volunteer, or contractor from engaging in work for them after October 18, 2021, if the individual has not been fully vaccinated against COVID-19 and provided proof thereof to the operator, unless the individual is exempt.

What happens if an employee, volunteer, or contractor submits a CDC card that later is found to be false?

If documentation submitted by a health care provider is later found to be false, the operator of the health care setting must stop permitting the individual to perform work. The employer may address this further based on their policies and any applicable collective bargaining agreements. [This guide teaches you how to verify COVID-19 vaccination record cards.](#)

Do private employers have to bargain with their unions since this is a government requirement?

Affected employers with workers represented by a union are to address the impacts of this proclamation in accordance with the provisions of any collective bargaining agreement between the parties.

New

What if an unvaccinated employee contracts COVID-19 and a health care provider recommends a waiting period before receiving the vaccine, which causes them to miss the October 18 deadline?

The employee should request an accommodation from their employer.

Will employees who quit or are terminated related to vaccine status be eligible for unemployment benefits?

When an employee's separation is the result of failure to comply with an employer's requirement to become vaccinated, the Washington State Employment Security Department (ESD) will examine a number of factors. These factors may include when the employer adopted the requirement, whether the employee is otherwise eligible for benefits, the specific terms of the vaccine policy including allowable exemptions, and the reason why the employee did not comply with the vaccine requirement.

For example, when the employer offered religious or medical accommodations, but the employee does not qualify for an accommodation and does not comply with the vaccine requirement, a claim would likely be denied. However, some individuals may still qualify based on their own unique circumstances. ESD will evaluate each case on its own merit.

Will the state suspend a provider's credential if they do not get vaccinated?

The Department of Health, along with the professional Boards and Commissions, will follow their normal complaint and investigation processes regarding legal requirements for credential holders. Depending on the circumstances, this could include taking action against a provider's credential.

What happens if I don't follow the requirements of the proclamation as the operator of a health care setting?

The proclamation has the force and effect of law and willful violation of it is a gross misdemeanor. The Department of Health, along with the boards and commissions that regulate health care providers, will follow their normal complaint and investigation processes regarding legal requirements for credential holders. Depending on the circumstances, this could include taking action against a facility's license or provider's credential if they are in violation of the proclamation. Employers may also be subject to action from other state agencies with jurisdiction over worker safety.

What liability protections are there for health care setting operators who are implementing this proclamation?

Health care setting operators should consult with their legal counsel about any questions they have regarding liability and any potential liability protections.

Does this proclamation require other vaccinations, such as for flu?

No.

Can an employer re-hire the worker once they become fully vaccinated?

Yes, provided the employer obtains proof of vaccination from the individual.

Does the health care setting operator need to verify the vaccination status of an ombuds, inspector, or individual engaged in similar oversight activities?

No, ombuds, inspectors, and individuals engaged in similar oversight activities are not engaged in work for the health care setting of which they are conducting oversight. The operator of that health care setting is not required to verify their vaccination status.

May a health care setting operator hire an unvaccinated individual who is required to be vaccinated under the proclamation and train them remotely or allow them to engage in other work remotely until they are fully vaccinated?

No.

Does a worker for a health care setting operator who does not work in the health care setting and does not hold a health care profession credential, is not authorized by law to provide health care professionally without a credential, and is not a long-term care worker have to be vaccinated?

No.

My question was not answered in this FAQ. Who should I contact?

You may send further questions about the vaccine requirement for health care providers and health care setting operators to covid.vaccine@doh.wa.gov