

White House Announces ‘New Enforcement Guidance’ on COVID-19 Vaccine Mandates

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The [White House](#) on Nov. 22 announced “new enforcement guidance” on [COVID-19](#) vaccine mandates for nursing home residents and staff.

It announced “new enforcement guidance to ensure nursing homes are offering updated COVID-19 vaccines and timely treatment to their residents and staff,” according to a White House fact sheet released on Nov. 22. It stated that the Centers for Medicare & Medicaid Services (CMS) still requires “nursing homes to educate their residents” on COVID-19 vaccines and offer vaccines to residents.

“CMS will issue guidance today reminding health care providers of this requirement,” the fact sheet reads. “In its guidance, CMS will make clear that nursing homes with low vaccination rates will be referred to state survey agencies for close scrutiny, and that facilities that do not comply with the requirement to offer and educate on the benefit of lifesaving COVID-19 vaccinations will face enforcement actions, including the need to submit corrective action plans to achieve compliance.”

The White House didn’t elaborate on what “enforcement actions” it would implement. However, in the fall of 2021, President Joe Biden’s administration announced vaccine mandates for facilities that receive Medicaid or Medicare funding—along with a now-scrapped rule that would force workers at companies with 100 or more employees to get the vaccine.

CMS officials didn’t respond to a request by The Epoch Times for comment by press time regarding what penalties health care providers may encounter.

The Department of Health and Human Services (HHS) will ask “governors for their assistance and partnership in increasing COVID vaccination rates for long-term care residents and highlight for them how their states are performing against their peers,” according to the White House.

Corporate and government COVID-19 vaccine mandates have largely fallen out of favor in recent months amid falling COVID-19 numbers. Tyson Foods, the largest meat company by sales in the United States, confirmed last week that it dropped its mandate, while a New York judge tossed New York's mandate for city employees in October.

The Centers for Disease Control and Prevention stated in 2021 that the requirement covers 10.4 million health care workers at 76,000 facilities.

Mandate

The vaccine requirement for Medicare and Medicaid providers was one of several mandates Biden's administration imposed upon private-sector employers to try to drive up vaccination rates. The rule impacted doctors, nurses, aides, technicians, and even volunteers at hospitals, nursing homes, outpatient surgery centers, home-health providers, and other medical facilities that get Medicaid or Medicare funding.

The Supreme Court blocked a rule requiring employers with more than 100 workers to be vaccinated or tested weekly for COVID-19. A lower court also blocked a requirement for employees of federal contractors to be vaccinated.

Over the months, Biden's various vaccine orders were challenged in court by Republican-led states, conservative groups, and some businesses. The lawsuits argued in part that the mandates exceeded federal executive powers and infringed on states' rights to regulate public health matters.

About two dozen states recently asked ([pdf](#)) HHS and CMS to end its COVID-19 vaccine mandate for health care workers. Led by Montana Attorney General Austin Knudsen, 22 state attorneys general argued that the current policy is outdated and noted that vaccines don't protect against COVID-19 infections.

"The mandate has limited many patients' access to needed medical care and imposed substantial costs on patients and health care workers without any corresponding benefits. The Biden administration should have never imposed this mandate, and CMS should now throw it in the trash bin where it belongs," Knudsen, a Republican, said in a statement.

Further, the states asserted that the CMS mandate led to [widespread staffing shortages](#) at health care facilities and limited patients' access to medical care. CMS and HHS officials didn't respond to a request for comment on the letter.

Earlier this year, CMS Administrator Chiquita Brooks-LaSure said vaccine mandates hadn't led to significant shortages, although she didn't provide evidence.

"We have seen that healthcare systems that implement vaccine requirements are not experiencing dramatic staff losses," Brooks-LaSure said in a letter ([pdf](#)) in February to health care facilities. "Vaccinated staff are instead more available to work since they are less likely to get sick."

On Nov. 11, a spokesperson for HHS said the Biden administration will keep its COVID-19 emergency intact when the current emergency expires in January 2023 after a 60-day deadline passed. The spokesperson said the emergency "remains in effect and as HHS committed to earlier, we will provide a 60-day notice to states before any possible termination or expiration."

A number of individual states, including ones run by Democrats, have dropped their respective states of emergency and some mandates in recent days. For example, Washington Gov. Jay Inslee, a Democrat, [announced](#) that his state's public health emergency ended on Oct. 31.

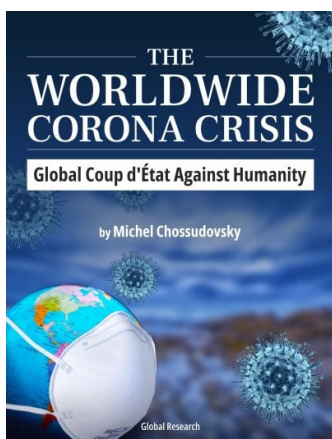
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The Associated Press contributed to this report.

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Featured image: A hospital corpsman administers a COVID-19 vaccine to a fellow corpsman at Naval Health Clinic Hawaii on Dec. 16, 2020. (Naval Health Clinic Hawaii)



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