

**CITY OF PASADENA HEALTH OFFICER ORDER  
FOR THE CONTROL OF COVID-19**

**ORDER REQUIRING VACCINATION OF  
HEALTH CARE WORKERS**

**THIS ORDER AMENDS AND SUPERSEDES  
HEALTH OFFICER ORDERS ISSUED DECEMBER 23, 2021,  
JANUARY 28, 2022, MARCH 1, 2022, AND SEPTEMBER 28, 2022.**

**THIS ORDER IS IN EFFECT AS OF 12:01 A.M. ON APRIL 3, 2023  
UNTIL RESCINDED IN WRITING BY THE HEALTH OFFICER.**

**This Order Issued: March 29, 2023  
Effective Date: April 3, 2023**

**Updates In This Order Highlighted In Yellow:**

- Modifies the vaccination requirement to specify that healthcare workers be "up to date" with COVID-19 booster vaccinations.
- No specific requirement as to "type" of booster, provided booster is FDA-authorized.
- Health Care Workers are required to comply with the Health Officer "Order Requiring Wearing of Face Masks by Personnel, Patients, and Visitors in Health Care Settings".

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; California Penal Code §§ 69, 148(a)(1).)**

Summary: On March 6, 2023, the local COVID-19 public health emergency declaration was terminated and Health Officer orders relating to the COVID-19 pandemic requirements for public settings were rescinded with limited exceptions. These actions were based on current scientific knowledge about COVID-19 and due in large part to the high rate of vaccination in the community, especially the newer bivalent booster, greater availability of effective treatments for those who are vulnerable to severe disease, and effective use of mitigation strategies, such as testing and masking.

While the SARS-CoV-2 virus, which causes COVID-19, including other future variants or subvariants, remains a concern for all Pasadena residents, the virus poses a particular risk to the health of medically vulnerable residents and people who might be exposed through necessity based on their circumstances. Patients, clients, and residents in healthcare, have little choice about their potential exposure to COVID-19 when they seek care or reside in congregate settings, and many of them are at greater risk for complications related to COVID-19.

COVID-19 vaccination and boosters continue to remain the most important strategy to prevent serious illness and death from COVID-19. COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection against severe disease and are recommended by the Centers for Disease Control and Prevention (CDC) for all populations for whom the vaccine is authorized by the US Food and Drug Administration, including booster dose

recommendations. Vaccines and boosters designed to prevent serious SARS-CoV-2 infection continue to be the best protection against severe disease and death. Federal law for Medicare and Medicaid providers currently requires vaccinations with COVID-19 primary series for all applicable staff.

Hospitals, skilled nursing facilities (SNFs), home care residential settings, and the other health care facility types identified in this order are particularly high-risk settings where COVID-19 outbreaks can have severe consequences for vulnerable populations including hospitalization, severe illness, and death. The settings identified in the Order are places with frequent close contact between facility workers and highly vulnerable patients, including elderly, chronically ill, critically ill, medically fragile, and disabled individuals. Outbreaks in healthcare facilities, skilled nursing facilities, and other congregate settings have often been traced to unvaccinated staff members. Vaccination is the most effective way to reduce risk of COVID-19 virus transmission in healthcare facilities and home health care settings.

**This Order directs all Workers, as defined below, be up to date with their COVID-19 vaccines. Workers are up to date with COVID-19 vaccines when they have completed a COVID-19 vaccine primary series and got the most recent booster dose recommended by the CDC. Workers are up to date if they have completed their primary series—but are not yet eligible for a booster—OR if they have become ill with COVID-19 after they have received all COVID-19 vaccine doses recommended for them, they are also considered up to date and do not need to be revaccinated or receive an additional booster. Workers who are newly coming into compliance with the State and Local health care worker vaccine requirements must receive their booster dose within 15 days after becoming eligible. Health care personnel who have completed their primary series and provide proof of subsequent COVID-19 infection may defer this booster administration for up to 90 days after infection. The 90 days are from the onset of the initial COVID-19 symptoms. If they never had symptoms, then the 90 days are from the date of collection of the first positive viral COVID-19 test. Workers may be exempt from the vaccination requirements based on either a) Religious Beliefs or b) a Qualifying Medical Reason. Workers in Skilled Nursing Facilities continue to be required to comply with requirements of the federal Centers for Medicare and Medicaid Services (CMS).**

**UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 120175 et seq., AND THE PASADENA MUNICIPAL CODE SECTION 8.04.010, THE CITY OF PASADENA HEALTH OFFICER ORDERS:**

1. **This Order requires all Healthcare Personnel (HCP), as defined in paragraph 4 below, who provide services to or work in Health Care Facilities described in subdivision (a) below and in Home Care Settings under home care organizations described in subdivision (b), (“High-Risk Settings”) below to be up to date by CDC criteria, including a booster dose of an FDA-authorized vaccine, if eligible. Workers who are newly coming into compliance with the health care worker vaccine requirements must receive their required vaccinations within 15 days after becoming eligible.**
  - a. Health Care Facilities include:

- i. General Acute Care Hospitals
    - ii. Skilled Nursing Facilities (including Subacute Facilities)
    - iii. Intermediate Care Facilities
    - iv. Acute Psychiatric Hospitals
    - v. Adult Day Care Centers
    - vi. Program of All-Inclusive Care for the Elderly (PACE) and PACE Centers
    - vii. Ambulatory Surgery Centers
    - viii. Chemical Dependency Recovery Hospitals
    - ix. Clinics and Doctors' Offices (including behavioral health, surgical and dental)
    - x. Congregate Living Facilities
    - xi. Dialysis Centers
    - xii. Hospice Facilities
    - xiii. Pediatric Day Health and Respite Care Facilities
    - xiv. Residential Substance Use Treatment and Mental Health Treatment Facilities
  - b. Home Care Settings include:
    - i. Home Care Organization
    - ii. Home Health Agency
2. All Workers who provide services or work in facilities described in subdivisions (a) through (e) are required to be up to date with their COVID-19 vaccines. Workers are up to date with COVID-19 vaccines when they have completed a COVID-19 vaccine primary series and have received the most recent booster dose recommended by CDC:
- a. All Workers who provide services or work in Adult and Senior Care Facilities licensed by the CA Department of Social Services;
  - b. All in-home direct care service workers, including registered home care aides and certified home health aides, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
  - c. All waiver personal care services (WPCS) providers, as defined by the California Department of Health Services, and in-home supportive services (IHSS) providers, as defined by the California Department of Social Services, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services;
  - d. All hospice workers who are providing services in the home or in a licensed facility;
  - e. All regional center employees, as well as service provider workers, who provide services to a consumer through the network of Regional Centers serving individuals with developmental and intellectual disabilities, except for those workers who only provide services to a recipient with whom they live or who are a family member of the recipient for whom they provide services.

3. All Workers currently eligible for boosters, who provide services or work in facilities described in this order, must be “fully vaccinated and boosted” (up to date) for COVID-19 receiving all recommended doses of the primary series of vaccines and a vaccine booster dose pursuant to CDC Guidance on [Staying Up to Date on COVID-19 Vaccines](#). For Workers who may have received World Health Organization emergency use listed COVID-19 vaccine, or those who received a mix and match series composed of any combination of FDA-approved, FDA-authorized, or WHO emergency use listed COVID-19 vaccines, reference the CDC Guidance [Choosing Your COVID-19 Booster Dose, If You Were Vaccinated Outside of the United States](#) for the appropriate booster dose and timing.
  - a. Workers currently eligible for booster doses per the CDC Guidance on [Staying Up to Date on COVID-19 Vaccines](#) must receive their required vaccinations within 15 days after becoming eligible.
  - b. Workers who provide sufficient proof of COVID-19 infection after completion of their primary series may defer booster administration for up to 90 days from date of first positive test or clinical diagnosis, which in some situations, may extend the booster dose requirement. To provide proof of prior infection, workers must provide documentation of previous diagnosis from a healthcare provider or confirmed laboratory results. Workers with a deferral due to a proven COVID-19 infection must receive their booster dose no later than 15 days after the expiration date of their deferral.
4. For the purposes of this Order, “Worker” includes workers providing service within the jurisdiction of the Pasadena Health Officer, regardless of where the Worker’s agency is located. Worker refers to paid and unpaid employees, contractors, students, and volunteers who work in indoor and other settings where (1) care is provided to patients; (2) patients have access for any purpose, leading to direct or indirect contact between the worker and patients or exposure to SARS-CoV-2 airborne aerosols; or (3) home care or daily living assistance is provided to the residents. This includes workers serving in health care, prehospital care, patient transport, dental offices, other health care settings or home health care settings who have the potential for direct or indirect contact with patients, residents or SARS-CoV-2 aerosols, including (but not limited to):
  - a. Physicians and physician assistants
  - b. Nurses, nurse practitioners and nursing assistants
  - c. Medical assistants
  - d. Dentists and dental assistants
  - e. Medical technicians
  - f. Pharmacists
  - g. Phlebotomists
  - h. Therapists
  - i. Affiliated home care aides
  - j. Registered home care aides
  - k. Independent home care aides

- l. Home health aides
  - m. Students and trainees
  - n. Contractual staff not employed by the health care facility
  - o. Any person, whether employee, independent contractor or volunteer, not directly involved in patient care but who could be exposed to or could expose another to infectious agents that can be transmitted in the health care setting, such as management, dietary, environmental services, laundry, security, engineering and facilities management, and administrative and billing personnel.
5. A Worker may be exempt from the vaccination requirements under paragraph 1 above only upon providing a signed statement that the Worker (1) has declined the vaccine on religious grounds or (2) is excused from receiving any COVID-19 vaccination due to a Qualifying Medical Reason.

To be exempt from the vaccination requirement due to a Qualifying Medical Reason, the Worker must provide to their employer a written statement signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician that the worker qualifies for the exemption (do not include the nature of the underlying medical condition). The statement must indicate the probable date on which the Worker will be able to receive a vaccination or state that the duration of the underlying medical condition is unknown or permanent. See the most recent version of the Centers for Disease Control and Prevention's [Interim Clinical Considerations for Use of COVID-19 Vaccines guidance](#).

6. Workers exempt from the vaccination requirements pursuant to paragraph (2) are required to wear well-fitted, non-vented mask including N95, KN95, or KF94 respirators while inside the facility, residence or other direct care settings.
7. The operator of the health care facility shall comply with all applicable privacy laws and regulations in the maintenance of Workers' vaccination or exempt status.
- a. Upon request, a health care facility shall promptly provide vaccination or exemption records, including testing results, to the Pasadena Public Health Department or its designee and in any event no later than the next business day following the request.
  - b. Operators of health care facilities subject to this Order shall maintain records pursuant to the California Department of Public Health (CDPH) [Vaccine Record Guidelines & Standards](#) with the following information:
    - i. Full name and date of birth
    - ii. Vaccine manufacturer
    - iii. Date(s) of vaccine administration
  - c. For unvaccinated Workers: the operator of the health care facility must maintain signed declination forms with written healthcare provider's statement where applicable, as described in [paragraph \(5\) above](#).

8. Nothing in this Order limits otherwise applicable federal and state requirements related to Personal Protective Equipment, personnel training, and infection control policies and practices for health care facilities. Public Health requires Workers to continue wearing a surgical mask or higher-level respirator approved by the National Institute of Occupational Safety and Health (NIOSH), such as an N95 filtering facepiece respirator, at all times while in the facility or in a residential care or other direct care setting.
9. Health care facilities covered by this Order are encouraged to provide onsite vaccinations, easy access to nearby vaccinations, and education and outreach on vaccinations, including:
  - a. Access to epidemiologists, physicians, and other counselors who can answer questions or concerns related to vaccines and vaccinations and provide culturally sensitive advice; and
  - b. Access to online resources providing up-to-date information on COVID-19 science and research.
10. All previous orders of the Health Officer, as revised, supplemented and/or amended and that have not been expressly rescinded or superseded, remain in full force and effect, except as provided herein. To the extent a conflict exists between this Order and any previous orders of the Health Officer, the previous orders are hereby superseded and this Order controls.
11. Protocols established by the Health Officer to implement health orders issued by the State Public Health Officer or the City of Pasadena Health Officer have the same force and effect as other Orders issued by the Health Officer. To the extent any health order of the Health Officer, including any protocols established to implement any health order, is more restrictive than any order or directive issued by the State Public Health Officer, the health order of the Health Officer shall control.
12. This Order applies to all persons within the City of Pasadena under the Health Officer's jurisdiction.
13. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under California Health and Safety Code Section 120295. This Order will be enforced by the City of Pasadena Police Department, City Attorney/City Prosecutor's Office, and/or any other agency designated by the Pasadena City Manager for enforcement.
14. If any subsection, sentence, clause, phrase, or word of this Order (or any other prior Order) or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions of this Order (or any other prior Order).

**IT IS SO ORDERED:**



*Eric G. Handler MD*

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Eric G. Handler, MD, MPH, FAAP  
Health Officer, City of Pasadena

Date: **03/29/2023**