

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

**ORDER REQUIRING VACCINATION OF
HEALTH CARE WORKERS**

This Order Issued: August 20, 2021

This Order is in effect as of August 21, 2021, 12:01 AM until rescinded in writing by the Health Officer.

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (California Health and Safety Code §120295.)

SUMMARY OF THE ORDER: Since June 15, 2021 when most restrictions from the State of California’s Blueprint for a Safer Economy were lifted, the average daily incident case rate of COVID-19 in the City of Pasadena has increased by 1,519% to reach the “High Transmission” level of the US Centers for Disease Control and Prevention’s (CDC) Indicators for [Levels of Community Transmission](#). The testing positivity rate in Pasadena has also risen to the “High Transmission” level. In Los Angeles County where a large proportion of the people who work, visit, or patronize businesses in Pasadena reside, the rate of COVID-19 cases has increased to the “High Transmission” level, contributing to risk of transmission in this City. Hospitalizations from COVID-19 both locally and throughout Los Angeles County have more than doubled.

In addition, the significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain in the US and has been detected in specimens collected from Pasadena residents with laboratory-confirmed COVID-19, from multiple unrelated households. The COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection to individuals and communities, and are recommended by the CDC for all populations for whom the vaccine is authorized by the US Food and Drug Administration. Recent real-world evidence supports research findings that suggest authorized vaccines are highly protective against hospitalization and death from infection with the Delta variant.

Health care facilities and home care residential settings identified by this Order are particularly high-risk settings where COVID-19 outbreaks can have severe consequences for vulnerable populations, including hospitalizations, 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 vaccinated on or before September 30, 2021.

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 Workers 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) below to have received their first dose of a one-dose regimen or second dose of a two-dose regimen no later than September 30, 2021:

- 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 Health 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 Health 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

- c. Two-dose vaccines include: Pfizer-BioNTech or Moderna or other vaccine authorized by the World Health Organization. The one-dose vaccine is: Johnson and Johnson (J&J)/Janssen. All COVID-19 vaccines that are currently authorized for emergency use can be found at the following links:
 - i. [US Food and Drug Administration \(FDA\) COVID-19 Vaccines webpage](#)
 - ii. [World Health Organization \(WHO\) COVID-19 webpage](#)

- d. 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 contact between the worker and patients; 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):
 - i. Physicians and physician assistants
 - ii. Nurses, nurse practitioners and nursing assistants
 - iii. Medical assistants
 - iv. Dentists and dental assistants
 - v. Medical technicians
 - vi. Pharmacists
 - vii. Phlebotomists
 - viii. Therapists
 - ix. Affiliated home care aides
 - x. Registered home care aides
 - xi. Independent home care aides
 - xii. Home health aides
 - xiii. Students and trainees
 - xiv. Contractual staff not employed by the health care facility
 - xv. 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.
2. A Worker may be exempt from the vaccination requirements under section (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](#).

3. Any Worker exempt from the vaccination requirements pursuant to section (2) above, must meet the following requirements:
 - a. Test for COVID-19 with either polymerase chain reaction (PCR) or antigen test that either has Emergency Use Authorization (EUA) by the US Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the US Centers for Medicare and Medicaid Services. Testing must occur twice weekly for exempt Workers in acute health care and long-term care settings, and once weekly for Workers in all other health care or home care settings;
 - b. Wear 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 inside the facility or residence.
4. The operator the of the health care facility shall comply with all applicable privacy laws and regulations in the maintenance of Workers' vaccination or exempt status, including the testing results required by section (3)(a) of any Worker exempt from the vaccination requirement pursuant to section (2).
 - 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 section (2) above. Testing records pursuant to section (3) must be maintained.
5. Nothing in this Order limits otherwise applicable requirements related to Personal Protective Equipment, personnel training, and infection control policies and practices for health care facilities.
6. 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.

7. 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.
8. 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.
9. 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:



Ying-Ying Goh, MD, MSHS
Health Officer, City of Pasadena

Date: 8/20/2021