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July 20, 2018

TO: Licensed Acute Care Hospitals, Skilled Nursing Facilities, Long-Term Care Facilities, and Intermediate Care Facilities in Los Angeles County

FROM: Jeffrey D. Gunzenhauser, M.D., M.P.H.
Interim Health Officer, Los Angeles County

RE: Health Officer Order for Annual Influenza Vaccination Programs for Healthcare Personnel or Masking of Health Care Personnel during the Influenza Season

To lower the risk of transmission of influenza to patients in licensed acute care hospitals, skilled nursing facilities, and intermediate care facilities in the County, I am issuing this updated Health Officer Order to mandate that these licensed facilities supplement their existing obligation to assist their healthcare personnel (HCP) to obtain influenza vaccinations by requiring that those HCP who decline vaccination wear a mask when they are in contact with patients during the annual influenza season. This Order is identical in scope and intent to the Order that has been in effect in Los Angeles County since October 2013, except that this Order extends the annual “flu season” (i.e., the period during which the Order is operative and in effect) to April 30th of each year. Updated information on other aspects of influenza occurrence is also provided below.

Influenza is a highly communicable disease. It exists all year, but infection rates and the severity of symptoms increase markedly during what is commonly called “flu season” in the winter months. The Centers for Disease Control and Prevention estimates that influenza has resulted in 9.2 million to 60.8 million illnesses, between 140,000 to 710,000 hospitalizations, and between 12,000 to 56,000 deaths annually. Unvaccinated HCP are not only at risk for contracting influenza but can also transmit the virus to their coworkers and patients. Patients in healthcare facilities—most especially young children, pregnant women, elderly, and persons with chronic health conditions—are particularly vulnerable to influenza infection and its subsequent complications.

By law, acute care hospitals in California must annually offer free influenza vaccinations on-site to their employees and require all to be vaccinated; any employee who elects not to be vaccinated must provide the hospital with a written declaration that he or she has declined the vaccination [Cal. Health & Safety Code §1288.7(a)]. In addition, occupational safety regulations mandate that many types of health care facilities, including hospitals, skilled nursing facilities, and long-term health care facilities make seasonal influenza vaccine reasonably available to all employees with occupational exposure and ensure that each employee who refuses the vaccine signs a statement declining vaccination [8 Cal. Code Regs. §5199 (c)(6)(D) & (h)(10)]. Despite high rates of compliance with these laws, the ability of HCP to decline vaccination means that vaccination rates for seasonal influenza fall far short of the 90% target set by “Healthy People 2020.” In Los Angeles County, a Health Officer Order mandating that HCP be either vaccinated or masked in patient-care areas has been issued annually since 2013. Since that time, the average rate of HCP vaccination in Los Angeles County has risen from 58% to 82%. While the purpose of the respiratory mask mandate is to require a preventive intervention between patients and HCP who are not vaccinated, a similar rise in vaccination rates has been observed in other jurisdictions, sometimes rising above 95%.

ORDER: Pursuant to my authority under §120175 of the California Health and Safety Code, for the purpose of limiting the spread of influenza, I hereby order every licensed acute care hospital, skilled nursing facility, and intermediate care facility within the County of Los Angeles public health jurisdiction to implement a program under which healthcare personnel at such facility receive an annual influenza vaccination for the current season or wear a respiratory mask for the duration of the influenza season while in contact with patients or working in patient-care areas.

PERSONS COVERED: For the purposes of this Order, “health care personnel” are all persons, including paid and unpaid employees, contractors, students, and volunteers, who work in areas where patient care is provided in a licensed facility subject to this Order or who otherwise have direct contact with patients at such a facility.

DURATION OF ORDER: Until it is rescinded, this Order applies to each influenza season, defined as November 1 of one year to April 30 of the following year. If surveillance data in a particular year demonstrate that the influenza season is different than November 1 to April 30, this period may be amended by a further order.

The Los Angeles County Department of Public Health shares with the county’s healthcare professionals and facilities the goal that our population receives safe and effective care. We trust that all facilities subject to this Order will comply fully with it and will notify their HCP of its provisions. We hope that HCP in other facilities, such as physicians’ offices, will follow the strong recommendation that they voluntarily adopt the same protective procedures.

Health Officer Order Resources

For additional information regarding this Health Officer Order, the following documents can be found at the Los Angeles County Department of Public Health, Vaccine Preventable Disease Control Program website at <http://publichealth.lacounty.gov/ip/>

- Fact Sheet: Influenza Vaccination for Healthcare Personnel
- Frequently Asked Questions about Influenza Vaccinations

Further questions may be directed to the Los Angeles County Department of Public Health, Vaccine Preventable Disease Control Program at (213) 351-7800 or e-mail to ip@ph.lacounty.gov.

Attachment to this Document: Supporting Rationale for Requiring Influenza Vaccination or Masking for Healthcare Personnel