



## Disease Control and Prevention

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To: Health Care Facility and Agency Administrators and Staff within Santa Barbara County

From: Henning Ansorg, M.D.  
Santa Barbara County Public Health Officer  
Van Do-Reynoso, PhD, MPH  
Santa Barbara County Public Health Director

Date: September 28, 2021

Re: Health Officer Order for Influenza Vaccination or Masking of All Health Care Workers (HCW) During Influenza Season

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### Order

Pursuant to Health Officer authority under California Health & Safety Code § 120175, I hereby order all health care facilities and agencies in Santa Barbara County to develop and implement a mandatory influenza vaccination program for the 2021-2022 influenza season. The program shall require all health care workers to provide evidence of influenza vaccination. If a health care worker is unable to provide such evidence, that worker shall wear a surgical mask while working in patient care areas during influenza season.

### Background Information

Influenza vaccination of health care workers (HCW) is critical because it protects our community, protects a vital work force, and reduces employee absenteeism during influenza season. Vaccination of health care workers is also a key component of public health preparedness. Importantly, the influenza virus is contagious *24 hours before symptom onset*, so a seemingly "healthy" person can infect others. The most vulnerable in our community (the elderly, children, pregnant women, and those with weakened immune systems) rely on health care providers and facilities to protect them from infectious disease. In consideration of this, this Health Officer Order is being issued.

## Definitions

For the purposes of this order, "health care worker" shall be defined as any employed or non-employed individual who provides direct patient care or who works in a patient care area. This shall include physicians, ancillary staff, support staff, and volunteers.

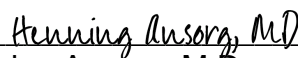
Under this order, a facility or agency may elect to expand the definition of "health care worker" to include all persons working on facility properties or for an agency that serves individuals in the community and such an expanded definition is supported by the Health Officer.

For the purposes of this order, "influenza vaccine" shall be defined as a vaccine approved by the U.S. Food and Drug Administration and recommended by the Advisory Committee on Immunization Practices for the 2021-2022 influenza season.

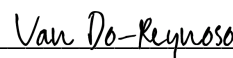
For the purposes of this order, "influenza season" is defined as November 1, 2021 to April 30, 2022. If influenza surveillance data suggests that influenza season may end before or extend beyond April 30, 2022 then this order may be amended to shorten or extend the influenza season definition.

For the purposes of this order, "patient care area" shall be defined and determined by the facility or agency. This may include all facility or agency properties and locations served in the community if so determined by the facility or agency.

## Signed:

DocuSigned by:  
  
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Henning Ansong, M.D.  
Health Officer, Santa Barbara County

9/27/2021  
\_\_\_\_\_  
Date

DocuSigned by:  
  
\_\_\_\_\_  
Van Do-Reynoso, PhD, MPH  
Santa Barbara County Public Health  
Director

9/27/2021  
\_\_\_\_\_  
Date



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**Santa Barbara County Public Health Department**  
**Health Officer Influenza Vaccination and Masking Order**  
**Frequently Asked Questions**  
**September 27, 2021**

**What is the Influenza Vaccination and Masking Order?**

This order is issued by the Public Health Officer and requires all health care facilities and agencies to implement an influenza vaccination program for Health Care Workers (HCWs). The purpose of the order is to help protect patients, staff, and community members from acquiring influenza from infected health care personnel.

**Why is the influenza vaccination and masking order needed?**

Influenza is a disease with serious impact. The most effective method of preventing influenza infection is vaccination. HCWs often care for patients at highest risk of severe disease and are at increased risk of exposure to influenza from ill patients. Infected HCWs can transmit influenza before they are symptomatic to patients and coworkers. Research shows that mandatory vaccination with a masking policy is a proven strategy that increases HCW vaccination rates.

**For the purposes of this order, what is the definition of “Health Care Worker”?  
Who is included in this definition?**

For the purposes of this order, and unless an organization or facility elects to adopt an expanded definition, “health care worker” shall be defined as any employed or non-employed individual who provides direct patient care or who works in a patient care area. This shall include nurses, physicians, ancillary staff, support staff, and volunteers.

**Why is the Health Officer Order being issued to all HCW this year, not just certain groups?**

California Health and Safety Code section 120175 charges the Health Officer with controlling contagious, infectious, or communicable disease. Health Officers “shall take

measures as may be necessary” to prevent and control the spread of disease within their jurisdiction.

The chart below shows that since 2014, orders for influenza vaccination of HCWs have been issued in Santa Barbara County to four different groups. In the interest of consistency of public health practice across the county, one order will be issued to all health care facilities this year, as was done in 2017.

<b>Year</b>	<b>Groups Included in Order</b>
2020	All HCWs
2019	All HCWs
2018	All HCWs
2017	All HCWs
2016	Skilled Nursing Facility HCWs First Responders Public Health Dept. HCWs Hospital HCWs
2015	First Responders Public Health Dept. HCWs Hospital HCWs
2014	Public Health Dept. HCWs Hospital HCWs

**Are other local health jurisdictions (counties and cities) across California issuing similar Health Officer Orders?**

Yes. California has 61 local health jurisdictions (58 counties and 3 cities). In 2017, 40 of 61 (66%) issued a Health Officer Order mandating HCW influenza vaccine or masking. Some jurisdictions issued the order to specific groups and some issued the order to all health care facilities and workers. Such orders have become the standard of practice for public health departments across California.

**The CDC defines influenza season as calendar weeks 40-20. Why does this order instead use the dates November 1, 2021 - April 30, 2022?**

Availability of influenza vaccine is sometimes a challenge during the month of October due to high demand. November 1, 2021 is used in the order to enable health care facilities ample opportunity to vaccinate HCWs by the effective date of the order.

In addition, the California Conference of Local Health Officers (CCLHO) has adopted a recommendation that all Health Officers use the dates of November 1 - April 30 when issuing Health Officer Orders for influenza vaccination of HCWs. This will create a

standardized practice across the state and eliminate discrepancies between jurisdictions.

### **When does the order take effect?**

The Health Officer Order is effective on November 1, 2021.

### **Does reporting vaccination status or wearing a mask violate HIPAA?**

Reporting vaccination status to an employer for the purposes of complying with a vaccination policy is not a violation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule because compliance is a condition of employment and has been legally mandated by the Health Officer.

### **How should a health care facility or agency track and identify who has received the influenza vaccine?**

A strategy to track and clearly identify which HCWs have received the influenza vaccine for the 2021-2022 season is highly recommended, but the specific approach will be determined by each facility.

### **Is the Public Health Department going to conduct audits of health care facilities or agencies to ensure compliance with the order?**

No. This order is a tool that supports local health care organizations and facilities to require employees to comply with specific public health measures. Development of policies and protocols for employee vaccination is up to each organization or facility. This order will not be “enforced” by the Public Health Department in the traditional sense.

### **What kind of mask should be used? When should masks be changed?**

The term “mask” in this order refers to a surgical mask. HCW should adhere to their organization’s policies regarding what types of masks are available and how often to change the masks. In some patient care situations, infection control guidelines require more protection than a surgical mask (e.g., N95 respirators). In these situations, unvaccinated HCWs should wear N95 respirators instead of surgical masks as the facility’s infection control guidelines indicate.

### **Can HCWs decline influenza vaccination based on religious or medical exemption?**

HCWs may decline influenza vaccination. However, HCWs who do not get vaccinated for influenza, whether through religious declination, personal beliefs, or due to a medical exemption, must wear a mask during influenza season while working in patient care areas and other designated work areas required by employers.