

County of Santa Clara

Public Health Department

Health Officer
976 Lenzen Avenue, 2nd Floor
San José, CA 95126
408.792.3798



MEMORANDUM

DATE: July 24, 2012

TO: Hospitals, Ambulatory and Community Clinics, Medical Practices, Skilled Nursing and other Long Term Care Facilities, and other Health Care Facilities

FROM: Marty Fenstersheib, MD, MPH
Health Officer

SUBJECT: Mandatory Influenza Vaccination or Masking of Health Care Workers During Influenza Season

In follow up to my memo from January 26th of this year, **I am now issuing a Health Officer order mandating that all health care facilities in Santa Clara County require their health care workers (HCWs) to receive an annual influenza vaccination or, if they decline, to wear a mask during the influenza season.**

Influenza infection accounts for an estimated 36,000 excess deaths in the US each year; 90% of which are in persons > 65 years of age. HCWs are both at risk for influenza and can transmit the virus to their vulnerable patients. An influenza outbreak in one of our local long term care facilities several years ago resulted in 2 deaths and 4 hospitalizations despite the fact that the patient vaccination rate was near 100%. Ill staff – only 17% of whom were vaccinated – introduced influenza into the facility, where it then spread to patients.

Influenza vaccination of HCWs protects patients and reduces employee absenteeism during influenza season. State law only requires that general acute care hospitals and certain employers offer influenza vaccinations to employees. (Cal. Health & Saf. Code, §1288.7, subd. (a); 8 Cal. Code Regs., § 5199, subd. (c)(6)(D) and (h)(10).) If hospital employees decline vaccination, they are only required to sign a declination statement in lieu of vaccination. (Cal. Health & Saf. Code, §1288.7, subd. (a); 8 Cal. Code Regs., § 5199, subd. (c)(6)(D) and (h)(10).) While compliance rates with these laws are high, actual HCW vaccination rates are not and may be below that which will blunt spread of infection. Mandatory vaccination or masking policies have been shown to increase HCW vaccination rates to >95%.

Our goals are to increase rates of influenza vaccination of HCWs, reduce employee absenteeism during influenza season, and reduce HCW to patient transmission of influenza.

page 1 of 2

Order

I, as the Health Officer of Santa Clara County, am requiring that each and every health care facility in Santa Clara County implement a program requiring its health care workers to receive an annual influenza vaccination or, if they decline, to wear a mask for the duration of the influenza season while working in patient care areas in that health care facility.

Duration of Order

This order is ongoing and applies to each influenza season unless the order is rescinded. The influenza season is defined as November 1 to March 31 of the following year. In any given year, if influenza surveillance data demonstrate an unusually late peak and continued widespread influenza activity in the spring, I may extend the period during which the masking program shall apply for that year.

Facilities Subject to the Order

This order applies to hospitals, ambulatory and community clinics, skilled nursing and other long term care facilities, and any other health care facility.

Definition of HCWs

For the purposes of this order, “health care workers” or “HCWs” are persons, paid and unpaid, working in health care settings who have direct patient contact or who work in patient care areas.

I appreciate your help and support in protecting the residents of Santa Clara County. For any additional questions, please contact our Communicable Disease Prevention and Control Program at 408-885-4214.

MDF:cw