

CLINE WILLIAMS

WRIGHT JOHNSON & OLDFATHER

FAQs FOR CMS VACCINE MANDATE

As noted in our previous E-Alert, the Centers for Medicare and Medicaid Services (CMS) issued a regulation in early November requiring COVID-19 vaccinations for staff working at healthcare providers who participate in the Medicare and/or Medicaid programs.

CMS has issued [FAQs](#) to assist healthcare providers in complying with the vaccine mandate, which it has been updating periodically as new issues arise (the most recent update being November 18th).

The FAQs address the following general topics:

- Basic information concerning the mandate, including timing and procedural issues;
- Eligibility, including which healthcare providers are subject to the mandate;
- Specific scenarios and unique situations;
- Practical requirements imposed on healthcare providers, including documentation and recordkeeping;
- Available exemptions;
- Enforcement by CMS; and
- Interplay between the CMS mandate and other federal and state laws.

Because this is a rapidly evolving area of the law, Cline Williams recommends that healthcare providers regularly review the FAQs linked in this E-Alert for updated guidance.

It is also worth noting that multiple states, including Nebraska, have filed suit against the federal government to stop CMS's vaccination mandate. As of the drafting of this E-Alert, no courts have halted the vaccine mandate implemented by CMS.

Cline Williams continues to monitor this developing area of the law and may provide additional updates and analyses.

For more information on these issues, please reach out to a member of Cline Williams' [Health Care](#) or [Labor and Employment Law Section](#).

The information included in this document is for general informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain advice with respect to any particular issue or problem. Use of and reference to this document or any website it may appear on does not create an attorney-client relationship between Cline Williams and the user or browser.