

# Summary of CMS Vaccine Regulations for LTC



## CMS REGULATIONS FOR LONG TERM CARE (LTC) FACILITIES RE: INFLUENZA (FLU), PNEUMOCOCCAL & COVID VACCINES

[Read the full regulation.](#)

**§483.80(d)(1) Influenza.** The facility must develop policies and procedures to ensure that-

- (i) Before offering the influenza immunization, each resident or the resident's representative receives education regarding the benefits and potential side effects of the immunization;
- (ii) Each resident is offered an influenza immunization October 1 through March 31 annually, unless the immunization is medically contraindicated, or the resident has already been immunized during this time;
- (iii) The resident or the resident's representative has the opportunity to refuse immunization; and
- (iv) The resident's medical record includes documentation that indicates, at a minimum, the following:
  - (A) That the resident or resident's representative was provided education regarding the benefits and potential side effects of influenza immunization; and
  - (B) That the resident either received the influenza immunization or did not receive the influenza immunization due to medical contraindications or refusal.

**§483.80(d)(2) Pneumococcal disease.**

The facility must develop policies and procedures to ensure that-

- (i) Before offering the pneumococcal immunization, each resident or the resident's representative receives education regarding the benefits and potential side effects of the immunization;
- (ii) Each resident is offered a pneumococcal immunization, unless the immunization is medically contraindicated, or the resident has already been immunized;

# Summary of CMS Vaccine Regulations for LTC



(iii) The resident or the resident's representative has the opportunity to refuse immunization; and

(iv) The resident's medical record includes documentation that indicates, at a minimum, the following:

(A) That the resident or resident's representative was provided education regarding the benefits and potential side effects of pneumococcal immunization; and

(B) That the resident either received the pneumococcal immunization or did not receive the pneumococcal immunization due to medical contraindication or refusal

(3) **COVID-19 immunizations.** The LTC facility must develop and implement policies and procedures to ensure all the following:

(i) When COVID-19 vaccine is available to the facility, each resident and staff member is offered the COVID-19 vaccine unless the immunization is medically contraindicated, or the resident or staff member has already been immunized;

(ii) Before offering COVID-19 vaccine, all staff members are provided with education regarding the benefits and risks and potential side effects associated with the vaccine;

(iii) Before offering COVID-19 vaccine, each resident or the resident representative receives education regarding the benefits and risks and potential side effects associated with the COVID-19 vaccine;

(iv) In situations where COVID-19 vaccination requires multiple doses, the resident, resident representative, or staff member is provided with current information regarding those additional doses, including any changes in the benefits or risks and potential side effects associated with the COVID-19 vaccine, before requesting consent for administration of any additional doses;

(v) The resident or resident representative, has the opportunity to accept or refuse a COVID-19 vaccine, and change their decision; and

(vi) The resident's medical record includes documentation that indicates, at a minimum, the following:

# Summary of CMS Vaccine Regulations for LTC



- (A) That the resident or resident representative was provided education regarding the benefits and potential risks associated with COVID-19 vaccine; and
  - (B) Each dose of COVID-19 vaccine administered to the resident; or
  - (C) If the resident did not receive the COVID-19 vaccine due to medical contraindications or refusal; and
- (vii) The facility maintains documentation related to staff COVID-19 vaccination that includes at a minimum, the following:
- (A) That staff were provided education regarding the benefits and potential risks associated with COVID-19 vaccine;
  - (B) Staff were offered the COVID-19 vaccine or information on obtaining COVID-19 vaccine; and
  - (C) The COVID-19 vaccine status of staff and related information as indicated by the Centers for Disease Control and Prevention's National Healthcare Safety Network (NHSN).