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CLIENT ALERT

INFORMATION FOR EMPLOYERS ABOUT COVID-19 VACCINE IN CONNECTICUT

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On January 14, 2021, Connecticut released new information about its roll-out of the Covid-19 vaccine, including an expanded list of individuals and business sectors that are eligible to receive the vaccine in Phase 1b. If you are an employer who has employees that are eligible to receive the vaccine, or if you are self-employed, an independent contractor, or otherwise not affiliated with an employer and are eligible to receive the vaccine, you will either need to register with the Vaccine Administration Management System (“VAMS”) or work directly with a provider to access the vaccine.

This Client Alert summarizes who is eligible to receive the vaccine and when, how to schedule an appointment, and what employers need to know about making the vaccine available to their employees. The primary focus of this alert is on the vaccination eligibility and priority for individuals and businesses in Connecticut. Please note that the eligibility and priority for a vaccination is determined by each individual state and rules in each state can and do vary. If you reside in New York you can check your eligibility here <https://am-i-eligible.covid19vaccine.health.ny.gov/>. Information on the Massachusetts vaccination program can be found here <https://www.mass.gov/info-details/covid-19-vaccination-program>.

Who is eligible to receive the vaccine right now?

Connecticut’s vaccine roll-out is divided into priority phases: Phase 1a, Phase 1b, Phase 1c, and “future phases.” Connecticut just entered Phase 1b.

Right now, individuals in Phase 1a who have not yet received the vaccine, and individuals who are at least 75 years old, can schedule an appointment to receive the vaccine. The Connecticut Covid-19 Response website says scheduling for the remainder of Phase 1b will begin “soon.”

Information about the different Phases for vaccinations in Connecticut can be found here:

<https://portal.ct.gov/Coronavirus/COVID-19-Vaccination---Phases>

Which groups of people are included in each priority phase?

Phase 1a

The following groups of people are eligible to receive vaccines during Phase 1a:

- All paid and unpaid persons serving in healthcare settings who have the potential for direct or indirect exposure to patients or infectious materials;
- Adults who reside in long-term care facilities that provide a range of services, including medical and personal care, to persons who are unable to live independently; and

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- Persons with a high risk of exposure to Covid-19 through their response to medical emergencies, such as emergency medical technicians, police officers, and fire fighters.

Phase 1b

The following groups of people are eligible to receive vaccines during Phase 1b:

- Frontline essential workers who (i) face work-related exposure to Covid-19 because their work must be performed on-site and in proximity to the public or to coworkers, and (ii) who are in one of the following sectors:
 - Healthcare personnel not included in Phase 1a;
 - First responders;
 - Agricultural workers and farmworkers;
 - Food service and restaurants;
 - U.S. Postal Service workers;
 - Manufacturing workers;
 - Grocery store and pharmacy workers;
 - Food banks and meal delivery services for the elderly;
 - Education and child-care workers;
 - Solid waste and wastewater workers;
 - Inspectors working on site in the above locations; and
 - Frontline public and social services;
- All individuals who are at least 65 years old (with first priority going to individuals who are at least 75 years old);
- Individuals between the ages of 16 and 64 who have an underlying health condition that puts them at greater risk for complications from Covid-19; and
- Individuals and staff in congregate settings, including halfway homes, inpatient mental health facilities, corrections facilities, homeless shelters, domestic violence shelters, and substance use and residential treatment facilities.

Phase 1c

No information is available about Phase 1c at this time.

Future Phases

Members of the general public are expected to become eligible to receive vaccines starting sometime this summer.

How does someone who is 75 years old or older get the vaccine?

If you are at least 75 years old, then you became eligible to receive the vaccine on Monday, January 18, 2021. To schedule an appointment, you can either register with VAMS or you can schedule an appointment directly with a provider that is ready for public distribution of the vaccine.

To register with VAMS, you must fill out the Department of Health's Online VAMS Enrollment form, which is available here: <https://dphsubmissions.ct.gov/OnlineVaccine>.

Once you are registered, VAMS will send you an e-mail with more information about the appointment process.

How can an employer provide access to the vaccine to its employees?

If you are an employer, you can either register your business with VAMS or you can work directly with a provider to give your employees access to the vaccine.

How does an employer register with VAMS?

If you are an employer and your employees are eligible to receive the vaccine, you can register with VAMS by filling out the Department of Public Health’s VAMS Enrollment for Employers and Organizations form which is available here:

<https://dphsubmissions.ct.gov/EmployerEnrollment>.

Once VAMS has approved your submission, VAMS will send you instructions on how to register your organization and upload a roster of eligible employees. Eligible employees will then be able to schedule an appointment directly through VAMS once supply of the vaccine is available.

More information for employers can be found here: <https://portal.ct.gov/Coronavirus/COVID-19-Vaccinations---Employers>.

Can an employer require its employees to get vaccinated?

Per recent guidance from the Equal Employment Opportunities Commission, employers are permitted to implement Covid-19 vaccination programs and to require that employees receive the vaccination as a condition of continued employment. In implementing such a policy, however, employers must be careful to ensure compliance with various federal statutes to address employee requests for exemptions from the policy based on disability and/or sincerely held religious beliefs. It is also important to note that if an employer contracts with a medical services provider to come to the workplace to administer vaccinations, such an arrangement qualifies as an employer-provided vaccination subject to protections of the Americans with Disabilities Act. Accordingly, additional legal considerations may be implicated if an employer contracts with a medical services provider to come to the workplace to administer vaccinations, as opposed to requiring that employees receive their vaccinations from a third party with whom the employer does not have a contract. State and/or local labor laws may also restrict an employer’s vaccination programs and/or policies when it comes to unvaccinated employees. We will publish a separate Client Alert with more information about these and other issues concerning employer vaccination policies.

Which providers are offering vaccination programs to employers?

We understand that Griffin Hospital, Hartford Healthcare, UConn Health and Yale New Haven Hospital are offering direct vaccine clinics for employers. Below is contact information for these providers:

Griffin Hospital:

<https://www.griffinhealth.org/Coronavirus-COVID19-Information/COVID-19-Vaccination/COVID-19-Vaccination-Information-for-Employers>

Hartford Healthcare:
<https://hartfordhealthcare.org/health-wellness/return-to-workplace-program#questions>

UConn Health:
<https://health.uconn.edu/coronavirus/covid-vaccine/>

Yale New Haven Hospital:
Send an e-mail to vaccinepartner@ynhh.org

The State of Connecticut maintains a list of vaccine providers. The list can be found here:
<https://portal.ct.gov/Coronavirus/COVID-19-Vaccinations---Employers>.

Will vaccinations be offered at an employer's business?

We understand that Griffin Hospital, and we suspect other providers, are planning on offering vaccinations to workers at qualifying and eligible businesses (i) on-site at the office, plant, or other facility of the qualifying business or organization and/or (ii) via set aside appointments and other special arrangements at one of the healthcare provider's vaccination sites. If you are interested in that service for your business, inquire directly of one of these providers. The contact at Griffin Hospital is Garrie Krueger and he can be reached at GKrueger@Griffinhealth.org.

How can someone who is self-employed, an independent contractor, or otherwise not affiliated with an employer get the vaccine?

If you are self-employed, an independent contractor, or otherwise not affiliated with an employer, you can either register with VAMS or you can schedule an appointment directly with a provider that is ready for public distribution of the vaccine.

How does someone who is self-employed, an independent contractor, or otherwise not affiliated with an employer register with VAMS?

If you are self-employed, an independent contractor, or otherwise not affiliated with an employer and you are eligible to receive the vaccine, you can register with VAMS by filling out the Department of Health's Online VAMS Enrollment form, which is available here:
<https://dphsubmissions.ct.gov/OnlineVaccine>.

Once you are registered, VAMS will send you an e-mail with more information about the appointment process.

More information can be found here: <https://portal.ct.gov/Coronavirus/COVID-19-Vaccinations--Independent-Contractors>.