




GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT ON DISABILITY SERVICES

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**DDS TRANSMITTAL# 21-05**

**TO:** All Developmental Disabilities Administration (DDA) Providers

**FROM:** Kirk Dobson, Deputy Director, Quality Assurance and Performance Management Administration (QAPMA)  8/30/21

**DATE:** August 30, 2021

**RE:** District of Columbia Provider Staff Vaccination Requirement for DDA Providers

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Effective August 23, 2021, all licensed and unlicensed health care workers providing services in a “facility” in the District of Columbia (*i.e.* intermediate care facility) or under of the Medicaid Home and Community-Based Services (HCBS) waivers for People with Intellectual and Developmental Disabilities (IDD) and for Individual and Family Supports (IFS), which includes Direct Support Professionals (DSPs) supporting District residents with IDD, are required to comply with the new COVID-19 vaccination mandate for health care workers recently issued by DC Health. All health care workers are required to come into compliance as follows:

- a. By receiving the first dose of the Pfizer-BioNTech COVID-19 vaccine on or before September 30, 2021, and receiving the second dose of the Pfizer-BioNTech COVID-19 vaccine within the time period established in the dosing schedule for the vaccine; or
- b. By receiving the first dose of the Moderna COVID-19 vaccine on or before September 20, 2021, and receiving the second dose of the Moderna COVID-19 vaccine within the time period established in the dosing schedule for the vaccine; or
- c. By receiving one (1) dose of the Janssen COVID-19 vaccine on or before September 30, 2021.

These vaccination requirements for licensed and unlicensed health care workers include exemptions based only on either “a sincerely held religious belief” or the medical advice of a physician or other licensed health professional.

On Friday, August 27, 2021, DC Health published the attached Notice of Emergency and Proposed Rulemaking in the *D.C. Register* amending 22 DCMR Chapter 2 (Communicable and

Reportable Diseases) to include a new Section 230 (Mandatory COVID-19 Vaccination for Health Care Workers) and new Section 231 (Exemptions from Mandatory COVID-19 Vaccination for Health Care Workers) at 68 DCR 8965 (Aug. 27, 2021). New § 230.1(a)-(c) provides the regulatory requirement for “persons described in § 230.2, unless granted an exemption under § 231 of this chapter,” and § 230.2(g) includes “unlicensed persons” per the Unlicensed Personnel Criminal Background Check Act of 1998 in D.C. Official Code § 44-551 *et seq.* (2013). This is the same statute that the Department of Health Care Finance (DHCF) cites in 29 DCMR § 1906.1(i) (Requirements for Direct Support Professionals under HCBS IDD waiver), 29 DCMR § 1915.16 (Principal Care Provider or DSPs in Host Home Without Transportation Services under HCBS IDD waiver), and 29 DCMR § 1911(i) (Requirements for Direct Support Professionals under HCBS IFS waiver). In short, all licensed and unlicensed staff providing direct care in an ICF under the Medicaid State Plan or under either of the HCBS IDD and IFS waivers are covered by the vaccine mandate issued by DC Health in these emergency and proposed regulations, which were effective when signed by DC Health Director LaQuandra S. Nesbitt on August 23, 2021.

If you have any questions, please contact your assigned Quality Resource Specialist (QRS).