



State of California—Health and Human Services Agency  
Department of Health Care Services



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GOVERNOR

## DHCS BH All Provider Call

### Brief Summary – 09/01/21

[Link](#) to weekly meeting notes and meeting link on DHCS webpage

To get on the mailing list for updates, email [DHCSBHLicenCert@dhcs.ca.gov](mailto:DHCSBHLicenCert@dhcs.ca.gov)

### CDPH Updates – Cassie Dunham and Dr. Erin Epson

- Working on adding to our FAQ documents for visitation and vaccination public health orders. Updates available soon.
- July 26 order that applies to residential and substance use facilities; staff are subject to the August 5th order and need to be routinely tested. Weekly, not twice a week.
- CDPH does not have a declination form, but examples are available online.
- Positive individuals are eligible for vaccination as soon as they complete their isolation – typically ten days for a positive test and should be vaccinated as soon as possible, but they should delay for 90 days if they have received monoclonal antibody for treatment
- Other general CDPH guidance can be found here:  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>

### DSS Updates – Vicki Smith

- Issued a new Provider Information Notice (PIN) that mirrors the All Facilities Letter (AFL) that was issued for indoor visitation thresholds. Brings into alignment the previous AFL. Requires the visitor show proof of vaccination and a test within 72 hours of each and every visit. New allowance put in for those that were COVID positive in the 90 days prior to a visit, are asymptomatic and may not have been eligible for the vaccine and continue to test positive. Only applies to indoor visitation.

<https://www.cdss.ca.gov/inforesources/community-care-licensing/subscribe>

- PIN 21-23-CRP - Coronavirus Disease 2019 (COVID-19) Vaccinations and Testing for Licensees and Staff  
<https://www.cdss.ca.gov/Portals/9/CCLD/PINs/2021/CRP/PIN-21-23-CRP.pdf>

### **DHCS Updates – Dr. Kelly Pfeifer and Janelle Ito-Orille**

- For SUD residential, currently following CDPH residential guidance. Vaccination and testing requirements apply to staff, not residents. DHCS has not put out guidance for residents of a facility.
- If a particular provider is concerned about meeting their requirements, they should reach out to the department liaison to discuss options.

### **QUESTIONS AND ANSWERS**

#### **On Testing**

***Q: Is there a requirement for testing unvaccinated residents of a SUD, and if so, how often?***

**A:** We are currently following the Public Health Order and including our facilities under that setting. That includes staff but does not have requirements for residents. If there is a positive test in the facility, then all exposed clients should be tested immediately and the facility should undergo response driven testing as directed by the local health department.

***Q: Are SUD providers required to test their unvaccinated staff 2x per week and require N95's or 1x week with well fitting surgical masks?***

**A:** The testing should be done weekly. N95s are not required routinely.

***Q: If clients have symptoms, and are fully vaccinated, can they be put back in the general milieu if their COVID test is negative?***

**A:** Please follow the guidelines for any other potential infection of communicable diseases, such as influenza. It may be prudent to get a subsequent molecular (e.g., PCR) COVID test to be sure, especially if there is known exposure. Also consider testing for other respiratory viruses, e.g., influenza, especially if there are more than 2 individuals in a facility with symptoms and negative COVID testing. Absent of known exposure or a positive molecular test, then manage that person as you would anyone who has symptoms of some other respiratory virus.

***Q: Can staff in process of getting vaccinated be allowed not to test between now and 9/30 to ease up testing availability for those with exemptions in place?***

**A:** There is no allowance for that. The July 26<sup>th</sup> requirement for testing the unvaccinated is in effect. Staff who are in the process of completing their vaccination series should be

assigned to areas where they will not be exposed to patients and where they will not expose patients until they are fully vaccinated.

***Q: For SUD providers contracted with the county, is there a reporting requirement for positive and negative diagnostic screening tests to the county?***

**A:** There are no specific guidelines from DHCS regarding how you have to report. Current guidance for reporting laboratory test results is summarized [here](#). It is recommended to check with your specific local public health department for guidance.

***Q: Will State/DHCS be providing funding to insurance companies to reimburse for the increase in volume in testing and therefore creating a significant claim expense which will as a result be driving up Group Health premiums for employers in the coming years?***

**A:** DHCS will not be providing reimbursement to insurance companies. The testing and vaccination requirements are designed to lower infection rates which will lower medical costs.

***Q: If a staff member is exposed outside of the office, and they test with an antigen test, shows no symptoms, should they be made to complete a second test a number of days later prior to returning to work?***

**A:** It depends on that staff person's vaccination status. If they are unvaccinated, they would need to quarantine and be excluded from work for the duration of the quarantine period. If they are fully vaccinated, they are not required to quarantine as long as they are asymptomatic but should get a test immediately (but not before 2 days) and again at 5-7 days after exposure.

***Q: Is there any type of requirement for clients coming into a psychiatric health facility to receive a negative PCR and/or a rapid antigen test prior to being admitted to the facility?***

**A:** There are no specific requirements regarding the testing of the clients, so the testing would be up to the facility. Vaccination status, rate of transmission in the community, and potential exposures should be considered.

***Q: For the fully-vaccinated, asymptomatic individual who tests 3-5 days, can that test be either PCR or antigen?***

**A:** There is no requirement for a specific type of test.

***Q: Are all providers required to be a CLIA-waived testing site in order to provide rapid testing to staff?***

**A:** Yes, but there is a state waiver that may be obtained. See the [Laboratory Field Services \(LFS\) FAQs](#).

***Q: What are DHCS expectations for a behavioral health organization in the event that there is a staff member who remains unvaccinated and does not submit a medical exemption or religious exemption by the September 30th deadline? Is the organization expected to continue requiring weekly testing and N95 masks OR is the organization expected to terminate the individual's employment OR place the individual on unpaid leave for a period of time?***

**A:** DHCS licensed or certified facilities (except for DUI programs) are expected to follow all guidance and requirements in the [August 19th PHO](#) and testing and masking guidelines in the [July 26th PHO](#). DHCS does not provide guidance regarding employee/employer guidelines. This should be discussed with the facility's legal counsel.

***Q: Are employees of programs co-located with outpatient behavioral health clinics required to follow the testing and vaccine mandates?***

**A:** Yes

***Q: I would appreciate clarification on the two PHO's one dated July 26th and the other dated August 19th regarding required testing/waivers for staff. Do either of these PHO's apply to DUI programs?***

**A:** The public health order applies to all behavioral health clinics, whether outpatient, residential, or inpatient – the only exception is Driving Under the Influence (DUI) treatment programs and STRTPs and Children's Residential programs (even though they may have a mental health program approved by DHCS, they would fall under DSS licensing, and DSS-licensed children's facilities do not fall under the public health order).

***Q: We are still getting pushback from insurance companies telling us that the mandate for them to cover tests ended June 6th and all they are required to cover are tests triggered by a Dr. order and for exposed or symptomatic people. They are holding firm that they do not have to cover Work related or Public health screening tests. Is there something that Public Health can do to clarify this for them/us?***

**A:** The Department of Managed Health Care has clarified that insurance companies are required to pay for diagnostic testing done for unvaccinated individuals in compliance with this public health order. Because these tests are specifically for individuals who are not vaccinated, it falls under diagnostic testing, not workplace screening, and insurance companies are required to cover the tests.

### **On Vaccination Requirements/Verifications**

***Q: For vaccine verification requirement, can you please reiterate which SUD providers are included? Residential, outpatient, NTP, DUI?***

**A:** The public health order applies to all behavioral health clinics, whether outpatient, residential, or inpatient – the only exception is Driving Under the Influence (DUI) treatment programs and STRTPs and Children’s Residential programs (even though they may have a mental health program approved by DHCS, they would fall under DSS licensing, and DSS-licensed children’s facilities do not fall under the public health order).

***Q: Is DHCS looking into waiving network adequacy requirements following the September deadline for vaccination? Counties are losing key staff who are resigning over the vaccine mandate or going out on intermittent Family Medical Leave Act due to stress. This will impact staff to client ratios due to vacancies.***

**A:** DHCS will not be waiving any requirements set forth in the Public Health Orders. If a county has difficulty meeting network adequacy requirements, they should discuss a corrective action plan with their county liaison.

***Q: Should people who have had COVID infections and do not want to get vaccinated, wait for a period of time until their antibodies reduce? We've been told to wait and test antibodies until safe.***

**A:** CDPH does not recommend testing antibodies as a way of determining vaccination status. The vaccine is recommended for individuals who have had a prior infection. The vaccine provides more consistent and reliable protection than a prior infection and provides a strong boost to their immunity. We recommend against using antibody tests when deciding when and whom to vaccinate. The only people who should wait 90 days before receiving vaccine are those who received monoclonal antibody treatment for COVID.

***Q: Is there going to be a requirement for a booster shot?***

**A:** It has not yet been determined whether boosters will be required. FDA has directed immuno-compromised individuals to receive a third dose.

### **On Masking**

***Q: Can CDPH clarify if masking "indoors" for the vaccinated individuals would include a staff member sitting alone in a private office?***

**A:** The masking order would likely not apply in the specific circumstance when a person is alone in an office with no interactions with others as long as there is no chance that others who are unvaccinated would enter.

***Q: How do any of the masking requirements or testing requirements apply to Sole Proprietor Mental Health Providers working by themselves in an outpatient setting?***

**A:** If there is any contact with the staff or residents, the Orders apply.

**Q: Are clients/residents required to wear masks?**

**A:** Masking is required for all individuals in indoor settings in Healthcare settings, State and local correctional facilities and detention centers, Homeless shelters, and Long Term Care Settings & Adult and Senior Care Facilities per [CDPH face Covering Guidance](#) that was updated 7/28/2021.

**On Exemptions**

**Q: For staff that are allowed exemptions from getting the vaccine, do they have to inform patients that they are not vaccinated? Or can programs inform patients what staff are not vaccinated?**

**A:** CDPH does not require programs to inform patients about the vaccination status of staff.

**Q: Do we have a declination form yet? For staff that have declined to get vaccinated.**

**A:** CDPH does not have a declination form, but examples are available online.

**Q: For unvaccinated staff who were recently COVID+, are they exempt from the weekly testing requirement for 90 days following their test date?**

**A:** People can remain “test positive” for many weeks while asymptomatic, therefore, they are exempt from re-testing during those 90 days as long as they remain asymptomatic.

**Q: Is there guidance coming out for the religious exemption?**

**A:** There is no current guidance at this time. Providers are asked to manage these exemptions directly.

**Other**

**Q: It is unclear if all behavioral health clinics are considered a "licensed health facility?"**

**A:** The public health order applies to all behavioral health clinics, whether outpatient, residential, or inpatient – the only exception is Driving Under the Influence (DUI) treatment programs and STRTPs and Children’s Residential programs (even though they may have a mental health program approved by DHCS, they would fall under DSS licensing, and DSS-licensed children’s facilities do not fall under the public health order).