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December 2, 2021

PIN 21-09-HCS

TO: HOME CARE ORGANIZATION LICENSEES

FROM: ***Original signed by Kevin Gaines***
KEVIN GAINES
Deputy Director
Community Care Licensing Division

SUBJECT: **RESCISSION OF STATEWIDE WAIVERS FOR LICENSING
REQUIREMENTS RELATED TO TUBERCULOSIS (TB) TESTING AND
CORONAVIRUS DISEASE 2019 (COVID-19) VACCINE**

Provider Information Notice (PIN) Summary

PIN 21-09-HCS supersedes [PIN 21-04-HCS](#), dated March 18, 2021, which informed Home Care Organization (HCO) licensees of two statewide waivers concerning tuberculosis (TB) testing. This PIN informs HCO licensees that the statewide waiver specific to the timing of COVID-19 vaccinations and TB testing for licensees and staff has been rescinded effective December 2, 2021. The statewide waiver for general tuberculosis (TB) testing and clearance requirements remains in place and has been extended through March 31, 2022.

The Centers for Disease Control and Prevention (CDC) previously released guidance about [TB tests and COVID-19 Vaccines](#), and the unknown potential effects of the COVID-19 vaccine on certain TB test results during the first four (4) weeks after COVID-19 vaccination. Given challenges faced in delaying TB infection testing, CDC guidance has been updated to permit TB tests to be administered without delay. Based on this information, CCLD is rescinding the statewide waiver for TB testing when the individual has received COVID-19 vaccination as described in PIN 21-04-HCS, effective December 2, 2021.

As specified in [updated laboratory testing information](#) released by the CDC, the COVID-19 vaccination should not be delayed because of testing for tuberculosis (TB) infection. Testing for TB infection with one of the immune-based methods, either the [tuberculin skin test \(TST\) or an interferon release assay \(IGRA\)](#), can be done before, after, or during the same encounter as COVID-19 vaccination, regardless of vaccine type.

General Tuberculosis Testing and Clearance Waiver Extension

The general TB testing and clearance waiver established by PIN 21-04-HCS remains in place and has been extended through March 31, 2022, pursuant to [Executive Order N-21-21](#). Under this waiver, general TB testing and clearance requirements are waived for:

- Newly affiliated HCAs who do not have current TB clearance, to enable them to provide home care services immediately.
- HCAs whose two-year TB examinations are due, to enable them to continue providing home care services.

The HCO shall ensure that the TB testing and clearance requirements are met as soon as possible, but no later than five (5) days after the requirements are due. Thus, for newly affiliated HCAs, the TB testing and clearance requirements must be met no later than five (5) days after the HCA begins providing home care services. For HCAs whose two-year TB examinations are due, TB testing and clearance requirements must be met no later than five (5) days after their date of renewal.

Although TB testing and clearance requirements are waived to allow an HCA to begin or continue providing home care services, the HCO shall conduct a TB screening using the [TB Risk Assessment Questionnaire](#) to rule out TB disease prior to allowing a newly affiliated HCA to begin providing home care services, or an existing affiliated HCA to continue providing home care services after their two-year TB examination is due.

This waiver applies to requirements regarding TB clearance under Health and Safety Code sections 1796.43(a)(2) and 1796.45.

TERMS AND CONDITIONS FOR WAIVER

HCOs may implement the waiver described in this PIN only on an as-needed basis, in a reasonable manner; protecting the confidentiality of a person's medical diagnosis, treatment, and health care information; and in accordance with any guidance or instructions from CDSS, health care providers, CDC, California Department of Public Health (CDPH), and local health departments.

HCOs shall continue to comply with standards that have not been waived in this PIN's statewide waiver or pursuant to a different individual waiver or exception granted by CDSS. Any approved and pending waiver requests for any of the waiver provisions above shall continue to be in force but shall be replaced by this PIN.

HCOs may continue to request individual waivers for standards not included in this PIN in accordance with [PIN 20-04-CCLD](#).

Requirements for Ongoing Compliance with Waiver and Rescission or Modification

Continued use of a statewide waiver will be based on each HCO's compliance with the following terms and conditions:

1. The HCO shall notify the Home Care Services Bureau (HCSB) in writing, as soon as possible when a waiver is implemented pursuant to the statewide waivers set forth in this PIN.
2. An HCO's revised policies that are impacted by the waiver shall be developed in compliance with the most recent CDC, CDSS, CDPH, and/or local health department COVID-19 guidance; be readily available for the public's review; and a copy shall be provided to the HCSB. The policy must include a justification for the need of a waiver.
3. An HCO must inform the person in care and their responsible party, if applicable, of any revised policy impacted by the waiver.
4. The HCO shall comply with directives of the local health department. In the event the most current guidance or instructions from CDC, CDPH, CDSS, or the local health department are contradictory, HCOs should follow the strictest requirements.
5. The HCO shall not restrict CDSS, the Department of Developmental Services, CDPH, local health department officials, healthcare providers, Ombudsman, and essential government authorities, as applicable, from entering or conducting investigations at the HCO. HCOs should accommodate the use of video conferencing, teleconferencing, or other technology to support oversight that is conducted remotely.

CDSS may rescind or modify an HCO's authorization for use of a waiver based upon new federal, state, or local directives or guidance, or if it determines an HCO does not meet the terms and conditions of the statewide waiver, or an individual waiver, as applicable.

ADDITIONAL RESOURCES

The following resources are available online:

- Centers for Disease Control and Prevention (CDC)
 - [Coronavirus Disease 2019](#)

- California Department of Social Services (CDSS)
 - [Community Care Licensing Division homepage](#) (includes all COVID-19 related materials (Provider Information Notices (PINs) and other resources)
- California Department of Public Health (CDPH)
 - [All COVID-19 Guidance](#)
 - [Find a Testing Location](#)
- [Local County Health Departments](#)

If you have questions regarding this PIN, please contact the [Home Care Services Bureau](#).