

COVID-19 Vaccination in Maine

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Health Care Worker Vaccination FAQs

On August 12, 2021, the Mills Administration [announced an emergency rule requiring that certain workers at health facilities in Maine be fully vaccinated](https://www.maine.gov/governor/mills/news/mills-administration-requires-health-care-workers-be-fully-vaccinated-against-covid-19-october) (<https://www.maine.gov/governor/mills/news/mills-administration-requires-health-care-workers-be-fully-vaccinated-against-covid-19-october>) against COVID-19 by October 29, 2021.

While the rule's deadline for full vaccination was October 1, 2021, the Mills Administration [announced on September 2, 2021](https://www.maine.gov/governor/mills/news/mills-administration-provides-more-time-health-care-workers-meet-covid-19-vaccination) (<https://www.maine.gov/governor/mills/news/mills-administration-provides-more-time-health-care-workers-meet-covid-19-vaccination>) that it would begin enforcement of its COVID-19 vaccination requirement for health care workers on October 29, 2021, providing an additional month for health care workers to complete their vaccination protocol and for health care organizations to use \$146 million in forthcoming funds to address workforce needs. During the same time period, the Maine Department of Health and Human Services (DHHS) issued a proposed rule for comment to take effect with the expiration of the emergency rule. The final rule, effective as of November 10, 2021, [can be found here](https://www.maine.gov/sos/cec/rules/10/chaps10.htm). (<https://www.maine.gov/sos/cec/rules/10/chaps10.htm>)

The State of Maine has long required the immunization of employees of designated health care facilities to reduce the risk of exposure to, and possible transmission of, vaccine-preventable diseases. Maine DHHS, at the recommendation of Maine Center for Disease Control and Prevention (CDC), amended the existing rule to include the COVID-19 vaccine to protect the health and lives of Maine people, safeguard Maine's health care capacity, and limit the spread of the virus.

These FAQs address COVID-19 vaccination of health care workers in Maine under the final Maine DHHS rule, including changes from the emergency rule, and how this rule may relate to similar Federal rules, with the caveat that Federal agencies are the authorities on their rules. These FAQs supersede the FAQs on the emergency rule for immunization requirements for Maine health care workers.

Organizations Subject to the Immunization Rule

1. Which health care facilities are subject to Maine DHHS health care worker immunization requirements rule compared to other State and Federal rules? (#)
2. Do the CMS rule's Phase 1 (December 6, 2021) and Phase 2 (January 4, 2022) effective dates delay Maine DHHS final rule's effective date? (#)
3. Why does the final Maine DHHS rule eliminate EMS Organizations? (#)
4. Why does the final Maine DHHS rule eliminate Dental Practices? (#)
5. Are there other changes to the types of organizations that are subject to the Maine DHHS health care worker vaccination rule? (#)

Employees Subject to the Immunization Rule

6. Has the definition of "employee" changed between the emergency and final Maine DHHS rule? (#)
7. Is Maine DHHS rule's definition of "employee" as broad as that of the CMS rule which, for example, includes some volunteers? (#)

Exceptions or Exemptions for Certain Employees

8. The medical exemption policies in the CMS rule and the Maine DHHS rule have different operational details (e.g., reporting). Which medical exemption policy should be used by Maine health care organizations subject to both rules? (Updated November 30, 2021) (#)
9. Unlike the Maine DHHS rule, the CMS rule expressly acknowledges that religious exemptions to COVID-19 vaccination may exist under federal law. What does this mean for health care organizations in Maine subject to both rules? (Updated November 30, 2021) (#)

Reporting and Enforcement

10. How and why has reporting under the immunization rule for health care workers changed? (#)

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