



Department of Health

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Commissioner

JOHANNE E. MORNE, M.S.
Acting Executive Deputy Commissioner

September 13, 2023

DAL: #23-15
Subject: COVID-19 Vaccination and Booster
Dose Reminder

Dear Nursing Home Administrator:

The New York State Department of Health (“Department”) continues to recognize COVID-19 as an ongoing threat to the health of long-term care facility residents and staff. The purpose of this letter is to remind nursing homes of the expectation that they exercise diligence, act proactively, and document efforts to ensure that all residents and staff who are eligible and consent to COVID-19 vaccination remain up-to-date with all Centers for Disease Control and Prevention (CDC) recommended COVID-19 vaccine doses. In addition, consistent with regulation, nursing homes must:

- Offer all consenting, unvaccinated existing personnel and residents an opportunity to receive the first or any recommended next or booster dose of the COVID-19 vaccine. [10 NYCRR § 66-4.1(a)]
- Ensure that all new personnel, including employees and contract staff, and every new resident and resident readmitted to the nursing home, has an opportunity to receive the first or any recommended next or booster dose of the COVID-19 vaccine within fourteen (14) days of having been hired by or admitted or readmitted to the nursing home. [10 NYCRR § 66-4.1(b)]
- Post conspicuous signage throughout the nursing home, including at points of entry and exit and each residential hallway, reminding personnel and residents that the facility offers COVID-19 vaccination. [10 NYCRR § 66-4.1(c)(1)]
- Provide all personnel and residents who decline to be vaccinated a written affirmation for their signature, which indicates that they were offered the opportunity for a COVID-19 vaccination but declined. Such affirmation must state that the signatory is aware that, if they later decide to be vaccinated for COVID-19, it is their responsibility to request vaccination from the facility. The facility shall maintain signed affirmations on file at the facility and make such forms available at the request of the Department. [10 NYCRR § 66-4.1(c)(2)].

If you have any questions, please write to covidnursinghomeinfo@health.ny.gov.

Sincerely,

Adam Herbst
Deputy Commissioner
Office of Aging and Long-Term Care