

GREATER NEW YORK HOSPITAL ASSOCIATION

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September

Thirty

2021

Council Member Carlina Rivera
Chair, Committee on Hospitals
New York City Council
250 Broadway, Suite 1734
New York, NY 10007

Council Member Mark Levine
Chair, Committee on Health
New York City Council
250 Broadway, Suite 1816
New York, NY 10007

RE: Statement for Hearing: “Vaccine Hesitancy and Equity in NYC.”

Dear Council Members Rivera and Levine:

Thank you for the opportunity to submit a statement on behalf of the Greater New York Hospital Association (GNYHA), which represents more than 140 public and not-for-profit hospitals and health systems in New York State (NYS)—the majority in New York City. GNYHA is proud to serve New York City’s hospitals and health systems, which have been at the forefront of the COVID-19 pandemic for the last year and a half.

My statement covers vaccination mandates for health care workers, workforce contingency plans, and vaccine equity efforts.

Vaccination Mandate

On August 26, the New York State Department of Health (DOH) promulgated emergency regulations requiring all health care workers across the State to receive at least one COVID-19 vaccine dose by September 27 for those working in hospitals and nursing homes, and by October 7 for personnel of other health care entities. GNYHA strongly supports this mandate to combat the surging Delta variant and prevent future variants, and to finally bring the COVID-19 pandemic to a close. At a GNYHA Board of Governors meeting last week, our member hospitals and continuing care facilities affirmed their belief that New York should stay the course with its COVID-19 vaccination mandate for health care workers. Several of our member hospitals and health systems



GNYHA is a dynamic, constantly evolving center for health care advocacy and expertise, but our core mission—helping hospitals deliver the finest patient care in the most cost-effective way—never changes.

had already implemented their own vaccination mandates prior to DOH's announcement. GNYHA believes that the State's mandate is the best way to ensure the safest possible patient care environment and protect the public's health.

GNYHA is monitoring the outcome of DOH's ban on religious exemptions from the mandate. On September 12, the United States District Court for the Northern District of New York (NDNY) issued a temporary restraining order (TRO) preventing DOH from undertaking enforcement measures against health care entities in connection with the ban on religious exemptions, while keeping in place the mandate itself. The NDNY judge will decide whether to convert the TRO into a preliminary injunction on or before October 12. Other lawsuits against the State are pending, at various procedural stages.

To further assist our members, GNYHA developed a vaccine mandate toolkit that includes model policy and forms to facilitate the process of requests for limited exemptions and reasonable accommodations, as well as various materials from DOH and the Centers for Disease Control and Prevention. GNYHA is committed to ensuring our members have all the necessary information to vaccinate their entire workforces.

Workforce Contingency Plan

GNYHA has been in close contact with Governor Kathy Hochul's office and stands ready to help our members address potential mandate-related staffing challenges. On September 28, the Governor declared a statewide disaster emergency due to health care staffing shortages and suspended, through October 27, several laws and regulations, most of which were suspended during the COVID-19 disaster emergency that expired in June. The Governor also noted that medically trained National Guard members and Federal Disaster Medical Assistance Teams could be deployed to bolster health care facilities across the State.

The Governor's Executive Order (EO) suspends utilization review and other Insurance Law provisions to increase the availability of health care staff who can perform patient care duties. GNYHA strongly advocated for these suspensions and is grateful to the Governor for her decisive action on them. The EO also authorizes out-of-state physicians, registered nurses, licensed practical nurses, nurse practitioners, physician assistants, midwives, radiologic technologists, respiratory therapists and technicians, and other professionals to practice in New York. In addition, the EO includes accommodations for certain retired NYS-licensed professionals, authorization to practice for recent and near-future graduates of certain NYS-registered educational programs, scope of practice flexibility to allow certain emergency medical services personnel to practice in different settings, and flexibility for hospitals and nursing homes to discharge, transfer, and receive patients in certain conditions. We welcome her decisive action to address staffing shortages, much of which pre-date the COVID-19 pandemic and vaccine mandate.

Individual hospitals and health systems also have their own contingency plans to manage potential or actual staffing challenges. GNYHA is encouraged by early indications that significant portions of the unvaccinated workforce in health care facilities had received their first vaccine dose by this past Monday night.

Vaccine Equity Efforts

GNYHA members and their dedicated caregivers have been administering vaccines since late last year as part of their laser-focused mission to defeat the COVID-19 pandemic. Now that COVID-19 vaccines are readily available across the City, we must continue to combat misinformation and build trust among underserved communities.

At DOH's request, GNYHA served as the New York State Vaccination Program Hub Lead for the New York City region from late last year until it was scaled down this past summer due to the program's success. In this capacity, we facilitated the coordination, collaboration, and communications about the COVID-19 vaccine program across many entities, including our member hospitals and nursing facilities, as well as other City-based providers such as ambulatory care providers, physician practices, and numerous community-based organizations. We also commend our partner 1199SEIU United Healthcare Workers East for their extraordinary efforts over this past year to share vaccine educational materials with their members across the City and State.

Using data from the New York City Department of Health and Mental Hygiene (DOHMH) to measure social vulnerability among various demographics, we have coordinated with various government agencies to implement vaccination program strategies to reach vulnerable and underserved populations. We have worked closely with the New York City Vaccine Command Center and the Mayor's Office Taskforce on Inclusion and Equity to identify community organizations and faith-based groups with which to partner on reaching the most vulnerable populations. Through these partnerships, we provided logistical and operational support for vaccine pods in underserved neighborhoods.

GNYHA also operates [HITE](#), a free directory of more than 6,000 health and social services. The site is designed to connect low-income, uninsured, and underinsured New Yorkers to these programs. We have updated the site to include a wealth of [COVID-19 vaccine information](#), including scheduling information and patient education materials.

Conclusion

GNYHA and our entire membership are strongly committed to ensuring that their workforce is vaccinated against COVID-19 to protect themselves and their patients. We appreciate the City Council's interest in this issue and look forward to working together to further address vaccine hesitancy and equity.

If you have any questions, please contact David Labdon (dlabdon@gnyha.org) or Andrew Title (atitle@gnyha.org).

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Labdon', with a long horizontal flourish extending to the right.

David Labdon
Director, Government Affairs