



## Office of Children and Family Services

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### **REVISED: COVID-19 Protocols for Direct Care Staff to Return to Work Following a COVID-19 Exposure or Infection**

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Revised: December 29, 2021 (new material underlined)

#### **Revised Protocols for Critical Workforce Personnel in Clinical and Direct Care Roles in Certain Designated Residential Settings ONLY to Return to Work Following COVID-19 Exposure or Infection**

This guidance applies to the following categories of residential programs licensed or certified by the New York State Office for Children and Family Services (OCFS):

- Congregate Foster Care;
- Residential Programs for Victims of Domestic Violence;
- Runaway and Homeless Youth; and
- Juvenile Detention Programs.

#### **Exposure to COVID-19:**

Exposure is defined as (a) having had prolonged close contact with another person with confirmed or suspected COVID-19 while not wearing recommended personal protective equipment, per Centers for Disease Control and Prevention (CDC) guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>); (b) having had close community contact within 6 feet of a confirmed or suspected case for a cumulative 15 minutes or more within a 24 hour period; or (c) having been deemed to have had an exposure by a local health department.

The following guidance informs the protocol for staff to follow after a known exposure to COVID-19.

#### **1. Fully Vaccinated Employees:**

##### **A. Fully Vaccinated Asymptomatic Staff Exposed to COVID-19**

Staff who have been **fully vaccinated** against COVID-19 do not need to quarantine or furlough after exposure to COVID-19, regardless of essential status, so long as they experience **no symptoms**. These staff must wear well-fitting and appropriate face masks while at work.

Fully vaccinated is defined, for purposes of this guidance, as being 2 or more weeks after the final dose of the vaccine approved by the FDA or authorized by the FDA for emergency use or listed by the World Health Organization. Staff must provide proof of vaccination (e.g. Excelsior Pass or COVID-19 CDC vaccine administration card, or other vaccine provider sourced document) to be considered vaccinated.

## **B. Fully Vaccinated Staff with Confirmed or Suspected COVID-19**

Pursuant to the NYS Department of Health, a program or agency may allow critical workforce of the programs or positions described above with **confirmed or suspected COVID-19** to return to work after day 5 of their isolation period (where day zero is defined as either date of symptom onset if symptomatic, or date of collection of first positive test if asymptomatic) if they meet all the following criteria:

- The individual is fully vaccinated (e.g. completed 1 dose of Janssen or 2 doses of an mRNA vaccine at least 2 weeks before the day they become symptomatic or, if asymptomatic, the day of collection of the first positive specimen).
- The individual is asymptomatic, or, if they had mild symptoms, when they return to work they must:
  - Not have a fever for at least 72 hours without fever-reducing medication
  - Have resolution of symptoms or, if still with residual symptoms, then all are improving
  - Not have rhinorrhea (runny nose)
  - Have no more than minimal, non-productive cough (i.e., not disruptive to work and does not stop the person from wearing their mask continuously, not coughing up phlegm)
- The individual is able to consistently and correctly wear a well-fitting face mask, a higher-level mask such as a KN95, or a fit-tested N95 respirator while at work. The mask should fit with no air gaps around the edges.

Face masks should be well-fitting, disposable, non-woven masks. Other face coverings including cloth masks are not allowed except as part of double masking with a disposable mask underneath. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/effective-masks.html>.

- Individuals who are moderately to severely immunocompromised are not eligible to return to work under this guidance (see <https://www.cdc.gov/coronavirus/2019-ncov/hcp/duration-isolation.html>).

Individuals working under this policy must continue to stay at home, take precautions to avoid household transmission, and observe other required elements of isolation while not at work until the end of the 10-day period.

Testing is not required.

Workers participating in this program should be instructed that:

- They should practice social distancing from coworkers at all times except when job duties do not permit such distancing.
- If they must remove their respirator or well-fitting facemask, for example, in order to eat or drink, they should separate themselves from others.
- They should self-monitor for symptoms and seek re-evaluation from occupational health or their personal healthcare provider if symptoms recur or worsen.

## 2. Not Fully Vaccinated Employees:

### A. Not Fully Vaccinated Asymptomatic Staff Exposed to COVID-19

Consistent with recent CDC guidance, a program or agency may allow clinical and direct care professionals in the programs or positions described above who have been exposed to a confirmed case of COVID-19, but who is **not fully vaccinated** (as defined in Section A) to return to work after ten (10) days of quarantine or sooner, as may be allowed by the relevant Local Department of Health, if **no symptoms** have been reported during the quarantine period and if all of the following conditions are met:

1. Personnel who have been in contact with confirmed or suspected cases remain **asymptomatic**;
2. Personnel must continue symptom monitoring through Day 14. Self-monitoring should be completed twice a day (i.e., temperature, symptoms), and undergo temperature monitoring and symptom checks at the beginning of each shift, and at least every 12 hours during a shift.
3. Individuals must be counseled to continue strict adherence to all recommended non-pharmaceutical interventions, including hand hygiene and use of face coverings.
4. To the extent possible, direct care professionals and clinical staff working under these conditions should be assigned to individuals at lower risk for severe complications, as opposed to higher-risk residents (e.g., residents who are severely immunocompromised).
5. Personnel allowed to return to work under these conditions should maintain self-quarantine through Day 14 when not at work.

At any time, if these personnel develop symptoms consistent with COVID-19, they must immediately stop working and isolate at home. All staff with symptoms consistent with COVID-19 should be immediately instructed to seek testing and/or contact their healthcare professional. Anyone with confirmed COVID-19 will be instructed to isolate, per the guidelines set by their relevant Local Department of Health. In the event that employee is an essential worker and there is a staffing shortage at that employee's worksite, see Section D below.

### B. Not Fully Vaccinated Asymptomatic Staff Exposed to or Positive for COVID-19 During a Staffing Shortage

A program or agency may allow clinical and direct care professionals in the programs or positions described above who have **been exposed to a confirmed or suspected case of COVID-19** to return to work **before** ten (10) days of quarantine, or prior to any shortened quarantine period required by the relevant Local Department of Health, if **no symptoms** have been reported during the quarantine period and if all of the following conditions are met:

1. Furloughing such personnel would result in staff shortages that would adversely affect the health and safety of individuals served by the facility.

**The program or agency must submit a completed attestation**, acknowledging that the agency has implemented or attempted staffing shortage mitigation efforts and is experiencing a staffing shortage that threatens provision of essential services and that all of the below factors and requirements will be or are being met. The attestation form is enclosed with this guidance. The completed attestation must be submitted to the OCFS staff indicated below before

asymptomatic exposed staff are approved to return to any work location. One attestation may be submitted by each agency or provider operating program(s) within these parameters but must list each location/site where staffing shortages require that exposed staff return to work before required quarantines are completed. If you operate more than one type of program, then multiple attestations are necessary.

- The completed attestation should be submitted to the following contacts:
    - Foster Care: David.Bach@ocfs.ny.gov
    - Detention: Daniel.Hulihan@ocfs.ny.gov
    - Runaway and Homeless Youth: Madeline.Hehir@ocfs.ny.gov
    - Close to Home: Donte.Blackwell@ocfs.ny.gov
    - Residential Programs for Victims of Domestic Violence: Jara.Traina@ocfs.ny.gov or Marie.Limbach@ocfs.ny.gov
2. Personnel who have been in contact with confirmed or suspected cases remain **asymptomatic**;
  3. Personnel must continue symptom monitoring through Day 14. Self-monitoring should be completed twice a day (i.e., temperature, symptoms), including temperature monitoring and symptom checks at the beginning of each shift, and at least every 12 hours during a shift;
  4. Individuals must be counseled to continue strict adherence to all recommended non-pharmaceutical interventions, including hand hygiene and use of face coverings;
  5. Individuals must be advised that if any symptoms develop, they must immediately stop working, self-isolate at home, contact their local public health authority or their healthcare provider to report this change in clinical status and determine if they should seek testing;
  6. To the extent possible, direct care professionals and clinical staff approved to work under these conditions should be assigned to individuals at lower risk for severe complications, as opposed to higher-risk residents (e.g., residents who are severely immunocompromised); AND
  7. Personnel approved to return to work under these conditions should maintain self-quarantine through Day 14 when not at work.

Questions about this advisory can be sent to the following:

- Detention: Daniel.Hulihan@ocfs.ny.gov
- Runaway and Homeless Youth: Madeline.Hehir@ocfs.ny.gov
- Close to Home: Donte.Blackwell@ocfs.ny.gov
- Residential Programs for Victims of Domestic Violence: Jara.Traina@ocfs.ny.gov or Marie.Limbach@ocfs.ny.gov
- Foster Care: David.Bach@ocfs.ny.gov, in addition please feel free to contact your regional office:
  - Albany Regional Office - John Lockwood (518) 486-7078 John.Lockwood@ocfs.ny.gov
  - Buffalo Regional Office - Amanda Darling (716) 847-3145 Amanda.Darling@ocfs.ny.gov
  - New York City Regional Office - Ronni Fuchs (212) 383-1788 Ronni.Fuchs@ocfs.ny.gov
  - Rochester Regional Office - Christopher Bruno (585) 238-8192 Christopher.Bruno@ocfs.ny.gov

- Syracuse Regional Office - Sara Simon (315) 423-1200 Sara.Simon@ocfs.ny.gov
- Westchester Regional Office - Sheletha Chang (914) 801-3231 Sheletha.Chang@ocfs.ny.gov
- Native American Services - Heather LaForme (716) 847-3123 Heather.LaForme@ocfs.ny.gov