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December 21, 2021

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Re: Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination [CMS-3415-IFC]

Dear Administrator Brooks-LaSure,

The American Academy of Neurology (AAN) is the world's largest neurology specialty society representing more than 36,000 neurologists and clinical neuroscience professionals. The AAN is dedicated to promoting the highest quality patient-centered neurologic care. A neurologist is a physician with specialized training in diagnosing, treating, and managing disorders of the brain and nervous system. These disorders affect one in six people and include conditions such as multiple sclerosis, Alzheimer's disease, Parkinson's disease, headache, stroke, migraine, epilepsy, traumatic brain injury, ALS, and spinal muscular atrophy.

The AAN recognizes the necessity for this mandate and is strongly supportive of all efforts being made to vaccinate health care workers to protect them their patients and their patients' families from COVID-19. Because of highly contagious variants, including the Delta and new Omicron variants, and significant numbers of unvaccinated people, COVID-19 cases, hospitalizations, and deaths remain unacceptably high throughout the United States. Vaccination is the primary path out of this pandemic. Given the proven safety and effectiveness of the currently available vaccines, all health care workers should get vaccinated for their own health, and to protect their colleagues, families, residents of long-term care facilities and patients. This is especially necessary to protect those who are vulnerable, including unvaccinated children for which there is no approved vaccine, and the immunocompromised.

Unfortunately, many health care and long-term care personnel remain unvaccinated. That is why a mandate for health care workers to be vaccinated is vital. Many institutions have already implemented vaccine mandates in response to this pandemic and they have proven effective. After Governor Larry Hogan mandated that all health care workers in Maryland be vaccinated, or be regularly tested, the vaccination rate amongst hospital

workers rose to nearly 95 percent (with an additional 2 to 3 percent having been approved for medical or religious exemptions). Indeed, this is why many health care and long-term care organizations have required for many years vaccinations for influenza, hepatitis B, and pertussis.

The AAN commends CMS on the care taken to minimize the burden on providers in documentation and reporting of their vaccination status. It is prudent to leverage existing state survey agencies for the assessment of vaccination status amongst health care workers. While the rule does not lay out specific penalties for non-compliance, the AAN appreciates CMS clear intention to work with facilities that are non-compliant rather than penalize them immediately.

Conclusion

This rule is a vital step towards protecting AAN members and their patients from this pandemic. We greatly appreciate this opportunity to express the views of the AAN in response to the Interim Final Rule. Please contact Max Linder, Government Relations Manager, at mlinder@aan.com with any questions or requests for additional information.

Sincerely,

A handwritten signature in cursive script that reads "Orly Avitzur MD".

Orly Avitzur, MD, MBA, FAAN
President, American Academy of Neurology