

Home Care Developments

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NYC to Require Vaccination of Private Sector Employees in NYC

Today, New York City Mayor Bill de Blasio announced that New York City would be imposing a vaccination mandate for private-sector employers. Mr. de Blasio announced the mandate amid the emergence of the omicron variant and continued concern about the delta variant, stating, "we've got omicron as a new factor. We've got the colder weather which is going to really create additional challenges with the delta variant, we've got holiday gatherings," the Mayor told MSNBC. "We in New York City have decided to use a preemptive strike to really do something bold to stop the further growth of COVID and the dangers it's causing to all of us." **Mr. de Blasio said the mandate will cover private-sector employers in the City starting December 27.**

It is not clear what exemptions from the mandate will be permitted. It is not clear if all private employers' employees will in fact be covered. And it is not clear whether the mandate will apply to CDPAP personal assistants. As with other mandates, this one will surely be litigated also, but given the mandate litigation record thus far in New York State and, in New York City in particular, it is not clear if opponents of this mandate will prevail. Providers in New York City who have unvaccinated segments of their workforce (such as those in non-patient facing offices, or CDPAP-only providers) should begin to prepare for the potential implementation of this mandate in order to avoid last-minute scrambles. MLTCs, which have already started to demand vaccinations for caregivers working on their members' cases, are also likely to use DeBlasio's mandate to further bolster their policy of vaccination. Thus, again, providers are advised to respond to the growing trend of vaccination.

We will provide more information about this development as it becomes known. In the meantime, please do not hesitate to reach out to our firm if you have any questions or need assistance with vaccination mandate matters.



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