



**Northern Light
Health**

**LD 59 An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood
Immunization Program**

**LD 172 An Act to Allow Health Care Workers to Return to Work by Reinstating
Exemptions from Immunization Requirements**

**LD 601 An Act to Reduce the Shortage of Municipal Emergency Medical Services
Personnel by Removing Certain Vaccination Requirements**

**LD 1547 An Act to Temporarily Prohibit the State from Mandating COVID-19
Vaccinations**

**LD 1598 An Act to Allow an Exception to Immunization Requirements for Health Care
Workers for Vaccines Approved Under Emergency Use Authorization**

Testimony in Opposition

April 24 , 2023

Senator Baldacci, Representative Meyer and members of the Health and Human Services Committee, my name is Lisa Harvey-McPherson RN. I am providing testimony on behalf of Northern Light Health and our member organizations in opposition to the bills before you today. Northern Light Health member organizations include 10 hospitals located in southern, central, eastern and northern Maine, 8 nursing facilities, air and ground ambulance, behavioral health, addiction treatment, pharmacy, primary and specialty care practices and a state-wide home care and hospice program. Ninety three percent of Maine's population lives in the Northern Light Health service area. Northern Light Health is also proud to be one of Maine's largest employers with over 10,000 employees statewide.

Northern Light Health is proud of our service caring for the people of Maine and approached the pandemic challenge with a culture of "yes." Our clinicians provided 461,849 total doses of COVID-19 vaccine, our hospitals cared for nearly 4000 of the most acutely ill individuals with COVID, and our home care team cared for thousands of patients in communities throughout Maine. Our home care nurses also cared for patients in homeless shelters and individuals placed in alternative locations for health care monitoring. Nursing homes were particularly challenged, and we responded to community requests with all the local support and resources that we could provide. Telehealth is an essential service providing access to primary and specialty care services, during fiscal year 2022 we provided 152,000 telehealth patient visits to Mainers in their homes.

The success of our response is a source of pride for all Northern Light Health employees. Our compliance with state and federal COVID-19 vaccine requirements supported our staff to be safe when providing care and when our staff did test positive for COVID-19 the vaccine mitigated the severity of illness so very few staff were hospitalized to manage COVID-19 related symptoms. As vaccines changed to target COVID-19 variants a very good level of protection from the virus became excellent protection as severity of disease decreased to cold type symptoms.

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Northern Light Health

Acadia Hospital
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Beacon Health
Blue Hill Hospital
C.A. Dean Hospital
Eastern Maine Medical Center
Home Care & Hospice
Inland Hospital
Maine Coast Hospital
Mayo Hospital
Mercy Hospital
Northern Light Health Foundation
Northern Light Laboratory
Northern Light Pharmacy
Sebastiack Valley Hospital

Employing over 12,000 staff during the pandemic period we did have a very small number of employees decline to receive the COVID-19 vaccine and terminate employment. We respect the difficult decision made by the staff who left. A total of 381 employees left Northern Light Health due to the mandate, 127 were nurses.

In considering the bills before you today impacting health care facilities and workers it is important to understand that the Centers for Medicare and Medicaid Services (CMS) has a federal vaccination requirement for health care facilities that participate in the Medicare or Medicaid programs. The requirement applies to

- Home Health Agencies
- Home Infusion Therapy Suppliers
- Hospices
- Hospitals
- Ambulatory Surgery Centers
- Intermediate Care Facilities for Individuals with Intellectual Disabilities
- Clinics, Rehabilitation Agencies, and Public Health Agencies as Providers of Outpatient Services
- Long Term Care facilities
- Physical Therapy and Speech-Language Services
- Programs for All-Inclusive Care for the
- Pathology Services Elderly Organizations (PACE)
- Community Mental Health Centers
- Psychiatric Residential Treatment Facilities
- Comprehensive Outpatient Rehabilitation (PRTFs)Facilities
- Rural Health Clinics/Federally Qualified
- Critical Access Hospitals Health Centers
- End-Stage Renal Disease Facilities

Federal regulations require the health care facility to have policies and procedures in place for ensuring staff are fully vaccinated with doses of the COVID-19 vaccine.

In 2019 Northern Light Health was a strong supporter of LD 798 which became Public Law 154 upon passage. This law repealed exemptions to vaccine requirements for religious and philosophical reasons. Prior to passing this law Maine was one of only 17 states in which families of school-aged children could state non-medical reasons to opt out of school-required immunizations. Maine had the 4th highest rate of non-medical opt-outs, which put our community immunity below safe thresholds for disease outbreak. Since the law went into effect in 2020, data from the annual Annie E. Casey Foundation Kids Count survey shows that exemptions have decreased from 6.2% in 2018 to 1.8% in 2021. This means that more children are protected from deadly diseases including measles, mumps, rubella, polio, chicken pox, tetanus, diphtheria, and pertussis (whooping cough.).

It is critically important to understand that the legislature also changed the medical exemption language in the law to ensure that a medical exemption is available to a health care employee or parent who provides a written statement from a licensed

physician, nurse practitioner or physician assistant that, in the physician's, nurse practitioner's or physician assistant's professional judgment, immunization against one or more diseases may be medically inadvisable. The legislature clearly intended to structure a medical exemption decision based on the professional judgement of the practitioner. This change was strongly supported by Northern Light Health and the provider community to ensure that the provider would consider the unique medical needs of the individual when making the exemption determination.

Public Law 154 also eliminated non-medical exemptions to vaccines for health care personnel working in a licensed nursing facility, residential care facility, intermediate care facility for persons with intellectual disabilities, multi-level health care facility, hospital or home health agency. This applies to immunizations required by the Maine Centers for Disease Control. The rule specifically states:

Except as otherwise provided by law, each Designated Healthcare Facility in the State of Maine must require for all employees who do not exclusively work remotely a Certificate of Immunization, or Proof of Immunity, subject to Section 4(B) of this rule, against:

1. Rubeola (measles);
2. Mumps;
3. Rubella (German measles);
4. Varicella (chicken pox);
5. Hepatitis B;
6. Influenza;
7. COVID-19.

Restoring religious and philosophical exemptions to rules requiring vaccination would undermine work done to promote illness prevention practices and protect the most vulnerable within our population including the very young, the very old, women who are pregnant, and anyone with an underlying chronic health condition. Over the last few years in the United States, we have seen increased cases of measles, mumps, and whooping cough within communities with lower vaccination rates. We have also seen cases of polio and polio like illnesses where it was believed polio had been eradicated from the United States. Northern Light Health supported the removal of religious and philosophical exemptions within rules requiring vaccination against preventable infectious diseases while preserving legitimate medical exemptions.

As a source of both primary and acute medical care for much of the State of Maine we stand by our support for vaccine requirements and exemptions limited to medical reasons in order to maintain the health and well-being of the communities and Mainers we serve

Thank you for the opportunity to express our opposition to both of the bills before you today.