

University Health Network Policy & Procedure Manual

Administrative: Mandatory COVID-19 Vaccination for Contractors, Business Visitors & Study Visitors

Policy

This Policy outlines updated organizational requirements on COVID-19 vaccination for individuals independent from and not appointed by UHN who provide services or goods at UHN sites or directly to UHN patients in the community on behalf of UHN (“**Contractors**”), including individuals on contract, individuals employed by third parties such as employment agencies, and individuals working in any businesses or entities operating at UHN sites, and where all of whom are not employees, physicians, volunteers or learners and covered by [Mandatory COVID-19 Vaccination](#) policy 2.70.001. This Policy also applies to all individuals that attend UHN in a professional, regulatory or administrative capacity (“**Business Visitors**”) and who are not Contractors, UHN staff, essential care partners or otherwise engaged in direct patient support or care. This Policy further applies to any organization (“**Organization**”) that engages or employs Contractors (a “**Contractor Organization**”), or that engages or employs Business Visitors (a “**Business Organization**”). Finally, this Policy applies to any individual that is eligible for COVID-19 vaccination, who may or may not also be a UHN patient, who comes to UHN to participate in a research study that is not related to their clinical care (a “**Study Visitor**”). This Policy is to be read with, and does not replace, the entry screening processes in place from time to time.

UHN recognizes the importance of vaccination to reduce the risk of serious infection and transmission of infection to co-workers and UHN patients, due to the nature of their work with vulnerable and immunocompromised patients and the potential for exposure in the community. In keeping with UHN’s mission, vision, and values, this mandatory COVID-19 vaccination policy aims to protect UHN’s population including patients, employees, physicians, contractors, volunteers and learners.

In conjunction with this Policy, UHN has a mandatory COVID-19 vaccination policy on requirements and logistics for UHN staff (see [Mandatory COVID-19 Vaccination](#) policy 2.70.001). With respect to learners, UHN is working with affiliated academic institutions to ensure compliance.

All Contractors, Business Visitors and Study Visitors attending a UHN site or providing services in the community (“**External Patient Services**”) after **October 22, 2021** must have been fully vaccinated against COVID-19, subject to the terms outlined below and except as provided or permitted otherwise by law for regulatory officials. From the date of this Policy up to October 22, 2021, the expectation is that all such Contractors, Business Visitors and Study Visitors be fully vaccinated or have a negative COVID-19 test within the 48 hours prior to when they attend. Independent regulated health

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professionals, who are providing services out of their own offices on contract with UHN to clients of third parties (such as insurance providers), are not subject to this Policy.

Contractor Organizations are required at minimum, as a function of working with UHN, to make all reasonable efforts to have the appropriate individuals qualified under this Policy to meet their obligations under agreements with UHN, and to notify their usual UHN representative with as much advance notice as possible if such individuals are not available. Contractor Organizations are also required to have processes in place to comply with the requirements of this Policy described below expected of Contractors and Contractor Organizations.

Background

COVID-19 is an acute respiratory illness caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). It may be characterized by fever, cough, shortness of breath, and several other symptoms. Asymptomatic infection is also possible. The risk of severe disease increases amongst those who remain unvaccinated, those who are of advanced age and those who have underlying medical conditions.

The World Health Organization (“**WHO**”) declared COVID-19 a pandemic virus on March 11, 2020. Since that time and as of the date of implementation of this Policy, there have been over 219,000,000 cases of COVID-19 infection worldwide and over 4.5 M deaths. In Ontario to date, there have been over 570,000 cases of COVID-19 infection and over 9500 deaths. In addition, the increasing prevalence of the Delta variant of concern globally and within Ontario, which has increased transmissibility and disease severity as compared to previous COVID-19 virus strains, presents an immediate risk to patients within UHN who are among the most acutely ill and medically complex in Ontario and indeed Canada, and therefore more susceptible to infection and severe outcomes from COVID-19.

In Ontario, it has been determined that unvaccinated individuals are 8 times more likely to get COVID-19 and will suffer more serious effects. Unvaccinated cases of COVID-19 have accounted for the majority (94.8%) of COVID-19 cases from December 14, 2020 to August 21, 2021. In addition, unvaccinated individuals have accounted for the majority (92.4%) of hospitalizations and deaths (92.1%) resulting from COVID-19.

Ontario’s Chief Medical Officer of Health (“**CMOH**”) has, therefore, opined that there exists or may exist an immediate risk to the health of persons anywhere in Ontario from COVID-19 and has accordingly directed UHN to develop, implement and ensure compliance with a COVID-19 vaccination policy, effective September 7, 2021. Directive #6, issued by the CMOH under section 77.7 of the *Health Protection and Promotion Act* on August 17, 2021 (the “**Directive**”), aims to protect: healthcare workers, patients and healthcare system capacity. Unvaccinated Staff pose a risk to patients and workforce capacity resulting in a potential degradation of the healthcare system due to the potential (re) introduction of COVID-19 at UHN.

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UHN's patients are among those most likely to be severely impacted by COVID-19 and there is strong evidence that outcomes of COVID-19 infection are worse in immunocompromised patients. Patients at UHN include those who require acute care, non-acute care and chronic medical care for a variety of medical issues, including several programs that have high numbers of immunosuppressed individuals including but not limited to cancer treatment, organ transplant, rheumatic disease, immunodeficiency clinic, dialysis, and surgery.

Collectively, these patients are at great risk if infected by COVID-19. UHN's intensive care units, moreover, serve a unique provincial role and support one of the largest extracorporeal membrane oxygenation ("**ECMO**") programs in the world. UHN also cares for older individuals and those with risk factors and comorbidities that place those individuals at higher risk for severe infection and death.

More than 580 outbreaks of COVID-19 have occurred in Ontario hospitals since the start of the pandemic. To date, several outbreaks have occurred at UHN despite the presence of appropriate PPE and testing. Outbreaks cause harm to patients, healthcare workers, and disrupt clinical services and research activities as they lead to the closure of units, reduction in provision of vital services, and the requirement that Staff quarantine. During outbreaks, the education of UHN's learners is also adversely affected which directly jeopardizes the training of physicians, nurses, and allied health professionals.

Compliance

To facilitate the Policy, all Contractors, Business Visitors and Study Visitors will be required to provide, in the manner set out below:

1. Proof of vaccination against COVID-19 where, for the purposes of this Policy, "**Vaccinated**" means having received all required doses of a COVID-19 vaccine accepted by the Government of Ontario¹, as detailed in the footnote below and as it may change from time to time; **or**
2. Proof of a medical contraindication to vaccination as demonstrated by a written note provided by a physician or registered nurse in the extended class that sets out (i) a documented medical reason for the Staff member not being fully vaccinated

¹ As of September 22, 2021 this means, as set out in <https://covid-19.ontario.ca/proof-covid-19-vaccination> (accessed most recently on September 30, 2021):

- two doses using Moderna, Pfizer-BioNTech, AstraZeneca (including CoviShield) in any combination (the full series of a COVID-19 vaccine authorized by Health Canada);
- one or two doses of a COVID-19 vaccine not authorized by Health followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada; or
- three doses of a COVID-19 vaccine not authorized by Health Canada.

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against COVID-19, and (ii) the effective time period for the medical reason (i.e. permanent or time-limited) (the “**Documentation**”).

Timing

To implement the above category 1, any Contractor, Business Visitor or Study Visitor that is to attend a UHN site or provide External Patient Services:

- after the date of this Policy up to and including October 22, 2021, should be Vaccinated, and if not, the expectation is that all such individuals have a negative COVID-19 test within the 48 hours prior to when they attend or provide such services.
- from October 23, 2021 to and including November 5, 2021, must be Vaccinated, provided that if the 14 day waiting period after a required final dose has not yet elapsed, they must have presented to their Organization and to UHN (each as applicable, in the manner set out in the next full paragraph below) evidence of a negative COVID-19 test from them within the 48 hours prior to when they attend or provide such services.
- after November 5, 2021, must be Vaccinated, including the 14 day waiting period post the required final dose.

Study Visitors already enrolled in a study and not Vaccinated may still attend UHN if they receive at least an initial dose by October 23, 2021 towards being fully Vaccinated, and co-ordinate with UHN staff to show evidence of being fully Vaccinated as soon as reasonably possible and evidence of such testing in the interim (or evidence of medical contraindication/testing, per below).

Evidence of Vaccination, Medical Contraindication or Testing

UHN will be using the Province of Ontario’s “passport” system to validate proof of Vaccination for Contractors, Business Visitors and Study Visitors attending UHN, unless and until it communicates otherwise at its discretion. Contractor Organizations, and self-employed Contractors, must also have a method of documenting proof of Vaccination (e.g. receipt available from the provincial booking portal) and, as applicable, proof of Documentation and testing, for those Contractors that attend at a UHN site or provide External Patient Services. At its discretion under this Policy, UHN may also require an attestation or other written confirmation, from time to time, to be delivered to UHN to provide evidence of such Vaccination, Documentation and testing. Such confirmation may be required to be delivered in advance to a person’s usual UHN contact, at entry to UHN, or at any point during the individual’s attendance at UHN. Where such evidence is not provided, UHN reserves the right to deny entry or to require exit from a UHN facility by any relevant Contractor, Business Visitor or Study Visitor.

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If a Contractor, Business Visitor or Study Visitor has a medical contraindication:

- they are required to provide the Documentation for review and acceptance by their Organization, as applicable, which Organization can provide an appropriate confirmation to be delivered to UHN; or
- if any such Contractor or Business Visitor is self-employed, or if any such Business Visitor cannot reasonably engage its Business Organization to sufficiently cooperate with the foregoing, or if such individual is a Study Visitor, they are required to provide the Documentation or a confirmation in advance to the usual UHN contact for such individuals or at entry to UHN, all at UHN's discretion and as communicated by UHN.

To confirm, testing is only required and acceptable either due to timing of Vaccination or medical contraindication. Where an attestation or a similar confirmation is required by UHN, it will be in a form either provided by or accepted in advance by UHN, in either event to minimize any personal health information that is disclosed to UHN, all at UHN's discretion and as communicated by UHN.

Form of Testing – Rapid Antigen Testing

The testing that will be required to provide evidence of a negative COVID-19 test for an individual may be any appropriate form of testing that has been approved by the Ministry of Health, including as per its publication “COVID-19 Provincial Testing Guidance – Update - V. 13.0 (August 25, 2021)”, as updated from time to time.

Such testing is expected to be done most often through the self-administered COVID-19 testing program through rapid antigen testing kits self-administered at home. These rapid antigen tests are intended for testing of asymptomatic individuals only. The tests are not to be used by anyone with symptoms or who has a known exposure to someone with COVID-19. Symptomatic and exposed Contractors, Business Visitors or Study Visitors must follow current guidelines to be tested in an assessment centre with a PCR test, and otherwise comply with the UHN screening process in place from time to time.

Each Contractor Organization must, and each Business Organization should, have a process to confirm and validate what is an acceptable test, and also make available rapid antigen COVID-19 testing kits (e.g. kits available from Public Health through the [Provincial Antigen Screening Program](#) (see [Free Rapid Tests for Organizations](#))) and keep track of the vaccination status of their people. UHN may, at its discretion, facilitate the provision of such tests to Contractors that are self-employed, Business Visitors who are self-employed or otherwise do not have a participating Business Organization, and Study Visitors.

Contractors, Business Visitors and Study Visitors who test positive on the rapid test must arrange for a confirmatory diagnostic PCR test at a community assessment center. They will need to self-isolate at home pending the result of the confirmatory test, and will not be permitted to enter UHN premises or provide External Patient Services until confirmed

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negative by such a PCR test or otherwise cleared in the manner required by Toronto Public Health.

Educational Program

Where Contractors have not provided proof of vaccination or obtained an approved exemption, they are to be provided information about the risks and benefits of the vaccine, including an educational program that addresses the following learning components:

- How COVID-19 vaccines work;
- Vaccine safety related to the development of the COVID-19 vaccines;
- Benefits of vaccination against COVID-19;
- Risks of not being vaccinated against COVID 19; and
- Possible side effects of COVID-19 vaccination.

Contractor Organizations have the responsibility to provide the above information to their Contractors; UHN will have the right to audit such material and require any reasonable adjustments. UHN may also work with Contractors, Contractor Organizations and others as necessary to coordinate or validate appropriate information.

Vaccination Information Collected, Maintained and Disclosed

To help with compliance with this Policy and with the Directive, the following statistical (non-identifiable) data will be collected and maintained by Contractors or Contractor Organizations, and provided as requested to UHN:

- the number of Contractors that provided proof of being fully vaccinated against COVID-19;
- the number of Contractors that provided Documentation for not being fully vaccinated against COVID-19; and
- any additional detail required, directly or indirectly, by the Ministry of Health.

On request of the Office of the Chief Medical Officer of Health, UHN will disclose the statistical information to the Ministry of Health. The Ministry may seek additional detail within the requested statistical information outlined above.

The Ministry may further disclose this statistical information and may make it publicly available. UHN will provide no identifying information to the Ministry in relation to this Policy; all statistical information will be provided in aggregate form.

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Non-Compliance with the Policy & Contractor Processes

Contractors or Contractor Organizations are required, and Business Visitors, Study Visitors and Business Organizations are encouraged, to have processes in place to comply with this Policy, which may be developed as appropriate in conjunction with UHN. Such processes for a Contractor Organization must include consequences for a failure of a Contractor engaged or employed by them to comply with the terms of this Policy and/or the COVID-19 testing program, including discipline up to and including termination of employment for cause.

If a Contractor, Business Visitor or Study Visitor does not comply with this Policy, they will not be permitted on any UHN site or be permitted to provide External Patient Services. This will, as applicable, result in contractual consequences for the Contractor or Contractor Organization, as applicable.

UHN may review, revise and amend the requirements of this Policy, including in the face of evolving scientific evidence pertaining to the COVID-19 pandemic.

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