

County of Santa Clara

Public Health Department

Public Health Administration
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MEMORANDUM

DATE: February 25, 2022

TO: Honorable Members of the Board of Supervisors
Jeffrey V. Smith, M.D., J.D., County Executive

FROM: Sara H. Cody, M.D., Health Officer/Director, Public Health Department

SUBJECT: Update on Healthcare Waiver to Booster Requirement

At the February 8, 2022 Board meeting, Supervisor Chavez requested an off-agenda report regarding the limited waiver process related to the December 28, 2021 Order of the Health Officer Requiring Up-To-Date COVID-19 Vaccination of Personnel in Higher-Risk Settings (“Health Order”), including how many limited waiver requests had been received and approved by the Public Health Department (PHD).

On January 10, 2022, the Health Officer issued a Directive that established a limited waiver process allowing businesses and governmental entities to permit personnel with legitimate medical or religious exemptions to continue working in higher-risk settings in spite of the requirement in the Health Order that they exclude personnel who are not up-to-date on their COVID-19 vaccination from such settings. The waiver process is available to those entities that are not able to maintain operations due to inadequate staffing, and is subject to a commitment to ensure certain safety measures are in place.

The Directive was issued in light of the rapid onset of critical staffing concerns at some facilities with higher-risk settings due to the surge of cases from the Omicron variant. The severity of staffing concerns was reflected in the January 8, 2022, modification to the California Department of Public Health’s All Facilities Letter (AFL) 21-08.7, which waived isolation for asymptomatic healthcare workers who tested positive and waived testing and quarantine requirements for exposed asymptomatic healthcare workers. Although up-to-date vaccination remains a very important tool for controlling the spread and severity of COVID-19 in higher-risk settings, certain entities that are facing critical staffing shortages may require a waiver to carry out their operations for the benefit of the county’s population.

As of February 24, 2022, PHD reviewed and accepted fifty waivers at a variety of facilities including healthcare, long-term care, dental, and emergency services facilities. Nine waivers were not accepted due to the submission documentation being incomplete. In many cases, an entity’s waiver also applies to multiple facilities. Attachment A contains the list of entities that received a waiver, and those that were incomplete.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

cc: Board Chiefs of Staff
Miguel Márquez, Chief Operating Officer
James R. Williams, County Counsel
Tiffany Lennear, Clerk of the Board
Michael Balliet, Deputy Director, Public Health Department

Attachment A

List of Entities Applying for Limited Waivers As of February 24, 2022

| | Entity Name |
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| | |
| | ACCEPTED |
| 1 | Fabrice Gallez, DDS, MS INC |
| 2 | Spine & Sports Surgery Center, LLC |
| 3 | Stanford Health Care |
| 4 | Lucile Packard Children's Hospital |
| 5 | Good Samaritan Hospital |
| 6 | Kaiser Foundation and Health Plan - Santa Clara |
| 7 | The Permanente Medical Group - Santa Clara |
| 8 | The Permanente Medical Group - San Jose |
| 9 | Kaiser Foundation Hospital Kaiser Foundation Health Plan -SJ |
| 10 | Regional Medical Center |
| 11 | Silicon Valley SCLP (Incl Bascom SC) |
| 12 | City of Gilroy (for its fire department) |
| 13 | Hillview Convalescent Hospital |
| 14 | Mark Gray, DC |
| 15 | Essential Behavioral Support, Inc. |
| 16 | Silicon Valley Ambulance |
| 17 | Mallory Homes, Inc |
| 18 | El Camino Hospital |
| 19 | Los Gatos Surgical Center |
| 20 | University HealthCare Alliance |
| 21 | Uplift Family Services |
| 22 | HCA Healthcare/Ambulatory Surgery Division |
| 23 | Aureus Medical Imaging |
| 24 | Terra Bella Communities |
| 25 | White Blossom Care Center |
| 26 | Sutter Bay Medical dba Palo Alto Medical Foundation / PAMF |
| 27 | Rural Metro |
| 28 | Cupertino Dental Group - Ellery Salehiehl Stoll, DDS |
| 29 | Royal Ambulance |
| 30 | Silicon Valley Medical Development |
| 31 | Pro-Transport |
| 32 | Sutter Visiting Nurses Association |
| 33 | Jeffrey Laveroni |
| 34 | Los Gatos Oral and Maxillo - Facial Surgery |

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|----|---|
| 35 | Sunnyvale Post-Acute Center |
| 36 | Vasona Creek Healthcare Center |
| 37 | Summit Therapeutic Services, Inc |
| 38 | Canyon Springs Post Acute |
| 39 | City of Sunnyvale (for its public safety department) |
| 40 | Momentum for Health |
| 41 | Mission de la Casa Nursing and Rehabilitation Center |
| 42 | Valley House Rehabilitation Center |
| 43 | Sam Infantino, DDS Inc. |
| 44 | Thien Duy Bui, DDS |
| 45 | San Jose Behavioral Health |
| 46 | Parisi House on the Hill |
| 47 | Villa Fontana |
| 48 | Lytton Gardens Assisted Living |
| 49 | Crestwood San Jose |
| 50 | Lopa Shah/Smilesavers |
| | |
| | INCOMPLETE |
| 1 | Children's Health of Northern California (CHoNC) Campbell |
| 2 | Children's Health of Northern California (CHoNC) Saratoga |
| 3 | NorCal Ambulance |
| 4 | Albert H. Lee, DDS |
| 5 | GHC of Los Gatos LLC dba Plum Tree Care Center |
| 6 | Rose Feliciano DMD |
| 7 | Hughes Dental Group |
| 8 | Eric Phels, DDS |
| 9 | Empress Care Center |
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