



Update

What Do the CDC COVID-19 Updates Mean For My Business?

As many of you have likely heard, the Centers for Disease Control and Prevention (“CDC”) [extensively revised its recommendations](#) for how to address COVID-19. These broad updates are going to result in a major overhaul of the CDC website so that the guidance is consistent throughout. But what do these changes mean for your business?

The simple answer is not much in the short run. The CDC’s recommendations don’t have the force of law. Rather, many state and federal bodies have used its guidelines to craft their own laws and regulations. The CDC changes, therefore, will not result in automatic changes to the many laws that are currently in existence.

That said, it is likely that many state and federal bodies (in particular OSHA) will be examining these changes closely and determining how their laws and regulations need to change. So it is likely that in the future we will see some changes to the rules that govern your business.

In the meantime, remember that the Occupational Safety and Health Administration (“OSHA”) announced on June 30, 2022 that it would extend its [Revised National Emphasis Program for COVID-19](#) until further notice. Additionally, despite OSHA withdrawing its Emergency Temporary Standard for healthcare workers in December 2021, it still encourages healthcare employers (including home care agencies) to abide by the requirements in order to avoid citations under the general duty (which requires employers to provide employees with a safe working environment that is free from recognized hazards that cause or are likely to cause physical harm or death), respiratory protection, and PPE standards.

The Healthcare ETS required (among other things) employers to create and implement written COVID-19 plans that address several areas. Subscribers to [Polsinelli’s Online Solutions for Home Care \(POSH\)](#) have access to a template plan and other COVID-19 related policies (among many other things). Given OSHA’s stated position, we recommend healthcare employers implement a COVID-19 plan if they have not already done so.

It is also important to remember that despite the Healthcare ETS’s withdrawal, healthcare employers with more than 10 employees must continue to record positive cases (regardless of whether work-related or not) and report work-related deaths and hospitalizations of employees within certain timeframes.

Please [contact](#) your Polsinelli attorney if you have any questions.

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