Executive Order 332 Lifts COVID-19 Vaccination Requirements For Healthcare Settings



June 14, 2023

On June 12, 2023, Governor Murphy signed Executive Order 332 (EO 332), lifting COVID-19 vaccination requirements for *covered workers* at *health care settings*. EO 332 follows the latest final rule published by the Centers for Medicare and Medicaid Services on June 5, 2023, which withdraws interim final rules that mandated COVID-19 testing and vaccinations.

EO332 took effect immediately on June 12, 2023 and will remain in effect until revoked or modified by the Governor. *Health care settings* are therefore no longer required to maintain a policy that requires covered workers to be up to date with their COVID-19 vaccinations. However, they may implement and enforce their own COVID-19 vaccination or testing policy.

Health care settings include:

- Acute, pediatric, inpatient rehabilitation, and psychiatric hospitals, including specialty hospitals, and **ambulatory surgical centers**;
- Long-term care facilities;
- Intermediate care facilities;
- Residential detox, short-term, and long-term residential substance abuse disorder treatment facilities;
- Clinic-based settings like ambulatory care, urgent care clinics, dialysis centers, Federally Qualified Health Centers, family planning sites, and Opioid Treatment Programs;
- Community-based healthcare settings including Program of All-inclusive Care for the Elderly, pediatric and adult medical day care programs; and

- Licensed home health agencies and registered healthcare service firms operating within the State.

Covered workers include all the following:

- Full and part-time employees;
- Contractors; and
- Other individuals working in health care settings, including individuals providing operational, custodial services, or administrative support.

For the avoidance of doubt, private physician offices are not subject to vaccination requirements.

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