

November 30, 2021

To All Health Care Facilities

Re: CMS Mandate on Vaccination

OSFM has started to receive request from facilities for our staff to sign waivers and/or show proof of vaccination before entry. I just wanted to share with everyone that the new CMS mandate that requires vaccination for Covid to enter a CMS funded facility does not pertain to OSFM staff or the inspections we do.

State Fire Marshal inspectors are not staff or vendors covered by the CMS vaccine mandate, see <https://www.federalregister.gov/d/2021-23831/p-286> , and, by federal court order issued today, the CMS mandate cannot be enforced in Kansas, see Missouri v. Biden, No. 21-CV-01329 (Memorandum and Order dated Nov. 29, 2021).

If you have questions, please feel free to email me at Brenda.mcnorton@ks.gov

Thanks,

Brenda McNorton
Chief of Prevention