**AMENDMENT TO [INSERT TITLE OF AGREEMENT]**

This AMENDMENT TO [INSERT TITLE OF AGREEMENT] (the “Amendment”) is made and entered into by and between [Insert Facility Name] (“Facility”) and [Insert Agency Name] (“Agency”).

WHEREAS, Facility and Agency entered into a [Insert Title of Agreement] related to the provision of staffing services on [Insert Date] (“Agreement”);

WHEREAS, on November 4, 2021, the Centers for Medicare and Medicaid Services issued an Omnibus COVID-19 Health Care Staff Vaccination Interim Final Rule (“CMS IFR”) requiring vaccination against COVID-19;

WHEREAS, based on the foregoing, the Agency and the Facility desire to enter into this Amendment to alter the terms of the Agreement as set forth herein.

NOW, THEREFORE, the parties agree as follows:

1. Immunization. Agency shall ensure that all Agency Employees [or however identified in the original Agreement] assigned to the Facility are fully vaccinated (as defined in the CMS IFR) against COVID-19 or have applied for and are approved for a medical or religious exemption or temporary delay from the COVID-19 vaccine, pursuant to federal law and consistent with the language in the CMS IFR. This includes COVID-19 boosters if and when required by CMS.
2. Vaccination Tracking. Agency shall track and securely document:
   1. Agency Employees’ COVID-19 vaccine and booster status;
   2. any documentation related to requests and approvals for religious or medical exemptions (including documentation supporting the request and the reason(s) the Agency granted the exemption);
   3. any temporary delay in vaccination (including documentation supporting criteria for the delay and when vaccine may resume or is schedule); and
   4. any accommodations made for Agency Employees with approved exemptions or temporary delay.
3. Availability of Records. Agency shall make the documentation described in Section 2 available to Facility prior to an Agency Employee’s first shift at the Facility and thereafter, upon request of the Facility, within one business day [or other timeframe] of said request.
4. Duration. Agency’s duties under this Amendment shall last for the duration of the CMS IFR, any temporary or permanent extension thereof, and any litigation affecting the CMS IFR (i.e. stays, rulings on the merits, etc.).

**[*Signatures on next page*]**

Dated: , 2022

Signature

[Insert Name and Job Title at Facility]

Dated: , 2022

Signature

[Insert Name and Job Title at Agency]