



Pennsylvania Advocates and Resources for Autism and Intellectual Disabilities

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Department of Health and Human Services
Centers for Medicare & Medicaid Services
200 Independence Avenue S.W.
Washington, DC 20201

RE: Conditions of Participation for Intermediate Care Facilities for Individuals with Intellectual Disabilities (CMS-10777)

To Whom It May Concern:

On behalf of Pennsylvania Advocates and Resources for Autism and Intellectual Disabilities (PAR), thank you for the opportunity to provide feedback on the conditions of participation for intermediate care facilities for individuals with intellectual disabilities (ICF/IDs) (CMS-10777). PAR is Pennsylvania's primary statewide association dedicated to supporting organizations that provide services to individuals with intellectual disability and autism (ID/A). Below are our comments on the Center for Medicare and Medicaid Service's (CMS's) information collection activities as they pertain to COVID-19 vaccine documentation for ICF/IDs.

Currently, per 42 CFR § 483.460(a)(4)(vi)(A)–(C), ICF/IDs must educate residents and staff on the risks and benefits of the COVID vaccine, must offer the vaccine to residents and staff, and are required to document this activity for residents only in their medical records. The COVID-19 Public Health Emergency ended in May 2023, and thus PAR does not believe that this documentation requirement is still necessary. In accordance with 42 CFR § 483.460(a)(3), ICF/IDs are already required to "provide or obtain preventive and general medical care as well as annual physical examinations of each client," including immunizations recommended by the Public Health Service Advisory Committee on Immunization Practices or by the Committee on the Control of Infectious Diseases of the American Academy of Pediatrics – both of which recommend COVID-19 vaccination. ICF/IDs are also already required to keep comprehensive medical records per 42 CFR § 483.410 (c). Due to these reasons, we believe that the documentation requirements are redundant and no longer necessary to keep residents of ICF/IDs safe and healthy.

Sincerely,

Mark Davis
President and CEO