

# Smallpox Vaccination

Number: K-2

Revision:

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## 1.0 POLICY

The Town of Carolina Beach complies with the Homeland Security Act, Section 304 and the North Carolina General Statutes, Chapter 160A-164.1 concerning smallpox and/or smallpox vaccinations.

## 2.0 PURPOSE

The Federal and North Carolina State Governments have identified the potential of the smallpox virus to be used as a weapon of terrorism and have provided for the protection of employees who are considered the most vulnerable. The purpose of this policy is to address how the Town of Carolina Beach will comply with a Declaration invoking Section 304 of the Homeland Security Act and North Carolina General Statute 160A-164.1. This policy also addresses how adverse reactions to smallpox will be managed.

## 3.0 SCOPE

This policy covers Town employees in Law Enforcement and Fire Response who, as a result of their recognized status as emergency response personnel, develop a smallpox infection or adverse reaction to the smallpox vaccination administered by health professionals in compliance with Section 304 of the Homeland Security Act.

## 4.0 DEFINITIONS

- **4.1 Declaration** - A proclamation, issued by the Secretary of Homeland Security concluding that an actual or potential bioterrorist incident (or other actual or potential public health emergency) makes advisable the administration of a covered countermeasure to a category or categories of individuals.
- **4.2 Countermeasure** - Responses directed to counter a public health emergency. In the case of this policy, the countermeasure would be the administration of a smallpox vaccination to individuals covered by this policy.
- **4.3 Medical Treatment** - Medical treatment associated with the infection or an adverse reaction as covered in accordance with the North Carolina Workers' Compensation Act and **Policy on Workers' Compensation**.
- **4.4 Salary Continuation** - Benefits provided under **Policy on Workers' Compensation** should an employee lose time away from work as a result of an infection or adverse reaction to the vaccination.
- **4.5 FMLA Leave** - Up to 12 weeks of unpaid leave under the Family Medical Leave Act (FMLA). Paid leave may apply for some employees as covered in accordance with **Policy on Sick and Sick Family Leave** and **Policy on Workers' Compensation**.
- **4.6 Non-Town Employee Attendants Benefits** - The Town does not provide benefits to family members who may attend to a Town employee who contracts smallpox or has an adverse reaction, unless that family member is a Town employee. Worker's compensation would not apply to attendant family members regardless of their status as a Town employee.
- **4.7 Town Employee Attendants/Leave** - Benefits applicable to a Town employee who attends to a family member who has an adverse reaction to a smallpox vaccination. See **Policy on Family and Medical Leave**. Paid leave may be available for some employees in accordance with **Policy on Sick and Sick Family Leave**.

Worker's compensation would not apply to Town employees who are attendants for family members.

- **4.8 Town Employee Attendants/Health Care** - Medical benefits under the Town's health plan are available to a benefit eligible, health plan covered, Town employee who is the attending family member and who contracts smallpox from a family member. Worker's compensation would not apply to the Town employee who contracts smallpox as a result of attending to a family member.

## 5.0 ORGANIZATIONAL RULES

- 5.1 For the provisions of this policy to apply, the Secretary of Homeland Security must issue a proclamation declaring an actual or potential bioterrorist incident (or public health emergency) involving smallpox and invoking countermeasures.
- 5.2 The effective period for coverage under this policy is limited to the time the Declaration begins through 30 days following the ending date of the Declaration.
- 5.3 If eligible Town of Carolina Beach employees receive a vaccination against smallpox from a health professional in accordance with Section 304 of the Homeland Security Act and it results in a smallpox infection or an adverse medical reaction to the vaccination, it will be considered an occupational disease that is governed by the North Carolina Workers' Compensation Act (North Carolina General Statutes, Chapter 97-53). See **Policy on Workers' Compensation**.
- 5.4 If a Town employee contracts smallpox from or has an adverse reaction to a smallpox vaccine that was not administered as the result of a declaration under the Homeland Security Act, he is ineligible for workers' compensation benefits but other Town benefits may apply such as health insurance, FMLA and/or sick leave. See **Policy on Sick and Sick Family Leave** and **Policy on Family and Medical Leave**.
- 5.5 Town employees who contract smallpox as a result of providing care to an individual who has smallpox will not be eligible for workers compensation benefits. Family members who contract smallpox as a result of providing care for a Town employee are not eligible for workers compensation benefits. Other Town benefits such as health insurance for covered individuals and sick or sick-family leave and FMLA may apply. See **Policy on Sick and Sick Family Leave** and **Policy on Family and Medical Leave**.

## 6.0 PROCEDURES

- 6.1 Under Section 304 of the Homeland Security Act, smallpox vaccinations may be offered to covered emergency personnel, as defined in the Section 3.0 of this policy, in the event of a Declaration by the Secretary of Homeland Security.
- 6.2 The New Hanover County Health Department, the responsible agency in New Hanover County, will issue an order to distribute smallpox vaccinations as a countermeasure for emergency personnel.
- 6.3 Employees covered by this policy will receive the smallpox vaccination on a voluntary basis.
- 6.4 Employees who contract smallpox or have an adverse reaction to the vaccination must immediately report their condition to their supervisor.
- 6.5 The supervisor, or employee if he is able, will complete and submit a Worker's Compensation NCIC Form 19 in order to be eligible for workers' compensation benefits. See **Policy on Workers' Compensation**.
- 6.6 The supervisor of the affected employee must also notify Town of Carolina Beach Human Resource Department.

## 7.0 APPENDIX, APPENDICES

None