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U.S. Department of Health and Human Services  
Room 434E  
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Washington, D.C. 20201

**Attention: Pandemic Influenza Vaccine Prioritization Guidance Comments**

The American Health Care Association (AHCA) and the National Center For Assisted Living (NCAL) represent more than 10,000 non-profit and for-profit providers dedicated to continuous improvement in the delivery of professional and compassionate care for our nation's frail, elderly and disabled citizens who live in nursing facilities, assisted living residences, subacute centers and homes for persons with mental retardation and developmental disabilities. We are committed to performance excellence and Quality First, a covenant for healthy, affordable, and ethical long term care.

AHCA/NCAL is very appreciative of the many opportunities that the Department of Health and Human Services (HHS) has provided for interested individuals and organizations to comment and to offer input on the draft Pandemic Influenza Vaccine Prioritization Guidance. I commend HHS on its excellent efforts to involve so many constituents in this very difficult endeavor.

Based on public meetings that HHS conducted, residents of long term care facilities are not a priority and are in tier 4 under the draft guidance. According to the draft guidance, only 25% of the direct care staff in long term care (LTC) facilities will fall under the top priority, tier 1. While I am concerned that our residents are not a higher priority, I am even more concerned that so few LTC staff fall under tier 1.

In a pandemic, not only will we need healthy staff to care for the frail and vulnerable population in long term care facilities, but nursing facilities also are viewed as surge sites for hospitals. In order to sustain the long term care infrastructure for both its usual residents who are in need of direct care and for acute patients that under other circumstances would be in hospitals, it will be necessary to maintain a healthy long term care work force. Twenty-five percent of our direct care staff would not even begin to allow us to maintain a proper work force and long term care infrastructure.

In addition, when one considers the high rate of complications that our residents would experience should they contract the flu and how quickly the flu would spread in our

congregate settings, the need for vaccinating more of our workers becomes even clearer. In the December 13 stakeholder meeting, Dr. Ben Schwartz, Centers for Disease Control and Prevention, stated that the mortality rate for the elderly population in an influenza pandemic is likely to be 11 times higher than for the general population. Obviously, it will be imperative that we keep our very vulnerable residents away from potential carriers of the virus. Long term care facilities will consider all options to limit visitors, but we cannot keep our patients away from the people who care for them. We will need our full staff to care for and support our residents and; in order to protect these residents, we will need that staff to be vaccinated.

Should our residents contract the flu, it is extremely unlikely that they would be moved to hospitals for care. Our LTC staff would be caring for these extremely ill individuals who are likely to suffer complications along with the flu. Again, more of our workforce must be vaccinated-- both as a protection to the residents and so that there is a full workforce to take care of what could be a very, very ill population.

According to HHS, the first objective of the prioritization guidance is “to protect those who are essential to the pandemic response and provide care for persons who are ill.” To meet this objective, all LTC direct health care workers should be in tier 1. Without making this change, the guidance is not appropriately addressing its stated objective.

I thank you for this opportunity to offer AHCA’s and NCAL’s input as the Department of Health and Human Services determines priority groupings for receipt of pandemic vaccine.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Yarwood".

Bruce Yarwood  
President & CEO