



# HR COMPLIANCE OVERVIEW

## STATE LAWS RESTRICTING COVID-19 VACCINE PASSPORTS AND MANDATES

Since COVID-19 vaccines first became available, several states have enacted laws that restrict or ban certain entities from mandating them or requiring proof that an individual has received one (also known as a "vaccine passport") in order to be allowed entry or access to services. This Compliance Overview provides general information about these laws. All employers, particularly those with fewer than 15 employees, should become familiar and ensure compliance with all applicable state and local laws.

Employers that have at least 15 employees should also become familiar with [guidance](#) issued by the Equal Employment Opportunity Commission (EEOC) regarding how to comply with federal fair employment laws during the COVID-19 pandemic. In general, these laws allow employers to require vaccines as long as they provide exemptions for medical and religious reasons.

## HIGHLIGHTS

### BANS ON VACCINE MANDATES AND PASSPORTS

Several states have enacted laws that prohibit businesses and other entities from requiring individuals to receive or provide proof that they have received a COVID-19 vaccination.

### VACCINE MANDATE EXCEPTIONS

Federal fair employment laws allow employers to have COVID-19 vaccine mandates as long as they provide exceptions for religious and medical reasons. Many states either already had or have recently enacted similar exception requirements.

## LINKS AND RESOURCES

- + EEOC's [What You Should Know About COVID-19 and the Americans with Disabilities Act \(ADA\)](#)
- + Department of Justice's answers to frequently asked questions ([FAQs](#)) about how the ADA applies to businesses and other entities under certain circumstances related to the COVID-19 pandemic.
- + National Academy for State Health Policy – [Vaccine Mandate and Passport Tracker](#)



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## ALABAMA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Nov. 4, 2021 through May 1, 2023, employers must exempt vaccination as a condition of employment for any employee who has a religious or medical exemption. (SB 9 signed 11/4/21).

**Public Sector:** There is no vaccine mandate or ban for state employees, but this state has limitations on mandates. Effective Oct. 25, 2021, state executive branch agencies are prohibited from penalizing a business or individual for not complying with President Biden's federal vaccine mandate. (EO 724)

**Proof of Vaccination:** Effective May 17, 2021, government entities are prohibited from issuing vaccine passports or any other standardized documentation for the purpose of certifying the immunization status of an individual. Business entities may not refuse services or admission to a customer based on immunization status. (SB 267 signed 5/17/21)

## ALASKA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective April 26, 2021, Executive Branch departments, agencies, officials, state entities, and the public are prohibited from requiring any person to produce their personal vaccine history in order to travel to or around Alaska. This order does not prohibit private businesses from requiring customers to be vaccinated. (AO 321 issued 4/26/21)

## ARIZONA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective June 30, 2021, employers are required to provide reasonable accommodation to employees with sincerely held religious beliefs, practices, or observances that prevent the employee from taking the COVID-19 vaccination unless the accommodation would pose an undue hardship to the operation of the employer's business. (SB 1824 signed 6/30/21)

**Public Sector:** Effective July 6, 2022, state entities are prohibited from enquiring about a person's vaccination status on a door-to-door basis (SB 1346) Effective April 25, government entities are prohibited from requiring Arizona residents to receive a COVID-19 vaccination. (HB 2498 enacted 4/25/22)

**Proof of Vaccination:** Effective June 30, 2021, Arizona and any city, town, or county are prohibited from establishing a vaccine passport. Private businesses are prohibited from obtaining proof of vaccination from patrons. (SB 1824 signed 6/30/21) Effective April 19, 2021, state entities are prohibited from requiring an individual to provide documentation of their COVID-19 vaccination status in order to enter a business, building, or area or to receive a government service, permit or license. (EO 2021-09)

## ARKANSAS

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Jan. 11, 2022, employers must allow employees to opt out of COVID-19 vaccine requirements if they can prove they have antibodies for the virus or undergo weekly testing. (SB 739 enacted 10/13/21)





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**Public Sector:** Effective April 28, 2021, state agencies and entities, political subdivisions of the state, and state and local officials are prohibited from mandating vaccination as a condition of employment; education; entry; receipt of services; or issuance of a license, certificate or permit. (HB 1547 signed 4/28/21)

**Proof of Vaccination:** Effective April 30, 2021, state entities are prohibited from requiring use of a vaccine passport. The use of a vaccine passport is prohibited for any purpose including as a condition for entry, travel, education, or services. (SB 615 enacted 4/30/21)

## CALIFORNIA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Employees working in high-risk and/or acute health care and long-term care settings are required to be vaccinated and boosted against COVID-19. Previously, effective Aug. 2, 2021 through Sept. 17, 2022, all state employees were required to show proof of COVID-19 vaccination or undergo weekly testing.

**Proof of Vaccination:** There is no statewide proof of vaccination requirement. On June 18, 2021, the California Department of Public Health and Technology launched the Digital COVID-19 Vaccine Record portal, a website that allows residents to voluntarily upload a digital copy of their vaccination record.

## COLORADO

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Unvaccinated employees in high-risk settings, such as in congregate facilities, are required to undergo regular testing. Previously, effective Sept. 20, 2021, through March 1, 2022, all unvaccinated state employees were required to undergo testing twice a week. Effective Sept. 30, 2021, staff members with Colorado's Departments of Corrections, Human Services, and Public Health and Environment and other state employees that interact with vulnerable populations and those in congregate living settings and residential treatment facilities are required to have received at least the first dose of a COVID-19 vaccine. By Oct. 31, 2021, staff are required to receive a second vaccine dose. There is no option to opt out of vaccination by undergoing weekly testing. (8/17/21 announcement)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Nov. 5, 2021, the state announced the launch of the Colorado SMART Health Card, which allows users to show proof of vaccination status via the mobile myColorado app.

## CONNECTICUT

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees. Previously, effective Nov. 4, 2021, through April 15, 2022, all state employees must be vaccinated. Only state employees hired before Sept. 27, 2021 may undergo weekly testing as an alternative to vaccination. (EO 13G issued 9/10/21; EO 14 issued 9/28/21; HB 5047 signed 2/15/22)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Dec. 20, 2021, Gov. Ned Lamont announced the launch of Connecticut's digital health pass, allowing residents to show proof of vaccination via a QR code their smartphone.





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## DELAWARE

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 30, 2021, state employees are required to provide proof of vaccination or undergo regular testing. (8/12/21 announcement)

**Proof of Vaccination:** There is no statewide proof of vaccine requirement.

## DISTRICT OF COLUMBIA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 19, 2021, all employees, interns, and grantees of DC agencies must provide proof that they have received a full course of a vaccination against COVID-19 or undergo weekly testing. All DC contractors and grantees are required to ensure that their employees, agents, and subcontractors are vaccinated. (8/10/21 announcement)

**Proof of Vaccination:** There is no statewide proof of vaccine requirement.

## FLORIDA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Nov. 18, 2021, private employers must allow employees to opt out of a vaccine mandate based on a religious reason, medical exemption, COVID-19 immunity, regular testing, or PPE usage. (HB 1B signed 11/18/21)

**Public Sector:** Effective Nov. 18, 2021, a governmental entity may not impose a COVID-19 vaccination mandate for any full-time, part-time, or contract employee. (HB 1B signed 11/18/21)

**Proof of Vaccination:** Effective May 8, 2022, healthcare providers must establish visitation policies that may not require visitors to submit proof of any vaccination or immunization. (SB 988 enacted 4/8/22) Effective April 2, 2021, COVID-19 vaccine passports are prohibited and businesses in Florida are prohibited from requiring patrons or customers to provide any documentation certifying COVID-19 vaccination to gain access to, entry upon, or service from the business. (EO issued 4/2/21; SB 2006 signed 5/3/21)

## GEORGIA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective July 1, 2022, state and local entities are prohibited from requiring proof of COVID-19 vaccination as a condition of providing any services or receiving access to facilities. Additionally, state and local entities are prohibited from requiring that any person or private entity require proof of COVID-19 vaccination as a condition of providing any services or receiving access to facilities (SB 345 enacted 5/3/22). The automatic repeal date of June 30, 2023 was removed from this code (SB 1 enacted 5/2/23). Effective Aug. 19, 2021, local governments are prohibited from compelling private businesses to enact vaccine requirements. (EO issued 8/19/21) Effective May 25, 2021, no state agency, provider of state services, or state property can require proof of COVID-19 vaccination as a condition to be employed by the state, enter





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the premises of or conduct business with the state, or enjoy other rights or privileges provided by the state. (EO 5.25.21.01 issued 5/25/21)

**Proof of Vaccination:** Effective July 1, 2022, state and local entities are prohibited from requiring proof of COVID-19 vaccination as a condition of providing any services or receiving access to facilities. Additionally, state and local entities are prohibited from requiring that any person or private entity require proof of COVID-19 vaccination as a condition of providing any services or receiving access to facilities (SB 345 enacted 5/3/22). The automatic repeal date of June 30, 2023 was removed from this code (SB 1 enacted 5/2/23). Effective Aug. 19, 2021, local governments are prohibited from compelling private businesses to enact vaccine requirements. (EO issued 8/19/21) Effective May 25, 2021, state agencies, providers of state services, and state properties are prohibited from implementing a Vaccine Passport Program. (EO 5.25.21.01 issued 5/25/21)

## HAWAII

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Aug. 16, 2021, all state and county employees will be required to provide proof of vaccination or undergo regular testing. (EO issued 8/5/21).

**Proof of Vaccination:** Effective May 11, 2021, Hawaii launched its inter-island vaccine passport program that exempts vaccinated travelers from needing to get tested or quarantine prior to traveling between islands. Travelers to or within Hawaii are required to upload proof of vaccination in the state's Safe Travels program or other vaccine record platforms, such as AZOVA, CLEAR, and CommonPass. (Announcement issued 4/20/21).

## IDAHO

**Private Sector:** There are limitations on private entities requiring proof of vaccination. Effective July 1, 2023, residential care or assisted living facilities may not preclude visitation on the basis of a visitor's vaccination status (H 244 enacted 4/6/23). Effective April 6, 2023, business entities operating in Idaho are prohibited from requiring COVID-19 vaccination for employment or access to good or services (excludes businesses that receive Medicare or Medicaid funding). Additionally, ticket issuers may not discriminate or deny access to entertainment based on COVID-19 vaccination status (SB 1130). Effective July 1, 2023, licensed daycare facilities are required to describe the immunization exemption law in communications with parents (SB 1005 enacted 3/31/23).

**Public Sector:** Effective April 6, 2023, government entities are prohibited from requiring any person to receive a COVID-19 vaccination. Additionally, government entities are prohibited from offering any different compensation or benefits to an employee based on whether the employee has received a COVID-19 vaccine (this excludes onetime incentives related to COVID-19 vaccines that do not result in any different compensation or benefits). (SB 1130). Effective July 1, 2023, child protection investigations based upon immunization status are prohibited. Additionally, juvenile proceedings courts are prohibited from granting an order terminating a parent and child relationship based on a child's immunization status (SB 1029 enacted 2/28/23).

**Proof of Vaccination:** Effective April 7, 2021 any state department, agency, board, commission, or other executive branch entity or official are prohibited from requiring proof of COVID-19 vaccination from individuals as a condition of accessing



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state services or facilities, producing or issuing a passport to certify an individual has been vaccinated, or providing information of an individual's vaccine status to any entity as part of a passport program. This order does not prohibit private businesses from requiring customers to be vaccinated. (EO 2021-04 issued 4/7/21)

## ILLINOIS

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees. Previously, until Oct. 17, 2022, vaccines or weekly testing were required for employees in long term care facilities and any health care facilities not covered under the federal health worker vaccine mandate. Previously, effective Jan. 24, 2022 through July 24, 2022, all state and local public employees at workplaces with over 100 employees were required to show proof of vaccination or wear a mask and submit to testing to enter the workplace.

**Proof of Vaccination:** There is no statewide proof of vaccination requirement. On Aug. 11, 2021, the Illinois Department of Public Health launched Vax Verify, a website that allows residents to access their immunization records.

## INDIANA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective March 3, 2022, employers must allow employees to opt out of a vaccine requirement based on medical or religious reasons or immunity based on a prior COVID-19 infection. (HB 1001 passed 3/3/22)

**Public Sector:** Effective April 29, 2021, state and local units of government are prohibited from requiring anyone, including employees, to show proof of vaccination. (HB 1405 signed 4/29/21) Effective April 20, 2023, licensed child placing agencies may not require, as a condition for obtaining an adoption, that an individual or a member of the individual's household receive an immunization, and may not discriminate on the basis of immunization status (SB 345)

**Proof of Vaccination:** Effective April 29, 2021, state and local units of government are prohibited from requiring anyone, including employees, to show proof of vaccination. This law does not prohibit private businesses from requiring customers to be vaccinated. (HB 1405 signed 4/29/21)

## IOWA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective May 20, 2021, state and local governments are prohibited from including a person's vaccination status on a government-issued identification card. Local governments and businesses are prohibited from requiring customers to prove their vaccination status (HF 889 signed 5/20/21)

## KANSAS

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Nov. 22, 2021, employers who impose COVID-19 vaccine requirements are required to allow for medical and religious exemptions. (HB 2001 signed 11/22/21)





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**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective May 26, 2021, state agencies are prohibited from issuing a COVID-19 vaccination passport to any individual or requiring an individual to use a COVID-19 vaccination passport within the state for any purpose. This law does not prohibit private businesses from requiring customers to be vaccinated. (SB 159 signed 5/26/21).

## KENTUCKY

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide proof of vaccine requirement.

## LOUISIANA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide proof of vaccine requirement. Effective May 5, 2021, individuals can access a digital copy of their vaccination record on LA Wallet, the state's digital driver's license app. Note: Effective Jan. 3, 2022, New Orleans requires individuals 5 and older to show proof of vaccination or a negative COVID-19 test for indoor entry at bars and restaurants.

## MAINE

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide proof of vaccine requirement.

## MARYLAND

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 1, 2021, state employees who work in residential facilities operated by the state or a local health department, state correctional facilities, state juvenile service facilities, veteran homes, and other congregate living facilities are required to either be vaccinated or undergo regular testing. (MDOH No. 2021-08-05-01 issued 8/5/21).

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## MASSACHUSETTS

**Private Sector:** There is no vaccine mandate or ban for private employers.



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**Public Sector:** Effective Oct. 17, 2021 through May 11, 2023, state employees working in the governor's office, executive offices, and any agency, bureau, department, office, or division of the Commonwealth within or reporting to such an executive office are required to be vaccinated or risk being dismissed from their job. (EO 595 issued 8/19/21 and will be rescinded 5/11/23)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Jan. 10, 2022, Massachusetts launched a vaccine verification tool using SMART Health Card technology.

## MICHIGAN

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 29, 2021, any department, agency, board, commission, or public officer that receives public funding is prohibited from requiring as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. (SB 82 signed 1/29/21, HB 5783 enacted 7/20/22)

**Proof of Vaccination:** Effective Sept. 29, 2021, any department, agency, board, commission, or public officer that receives public funding is prohibited from producing, developing, issuing, or requiring a COVID-19 vaccine passport; or developing a database or making any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity. This law does not prohibit private businesses from requiring customers to be vaccinated. (SB 82 signed 1/29/21; HB 5783 enacted 7/20/22)

## MINNESOTA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees. Previously, Sept. 8, 2021 through July 15, 2022, state employees were required to have received a COVID-19 vaccine or submit to weekly testing. (Governor announcement 8/11/21)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Sept. 15, 2021, the Minnesota Department of Health announced that individuals may use the Docket app to access their COVID-19 vaccination records and other vaccinations recorded on the Minnesota immunization registry.

## MISSISSIPPI

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective April 21, employers must exempt COVID-19 vaccination as a condition of employment for any employee who has a sincerely held religious objection. (HB 1509 signed 4/21/22)

**Public Sector:** Effective April 21, state entities are prohibited from discriminating against people based on their COVID-19 vaccination status. State entities are prohibited from barring people from employment or discriminating against them in terms of compensation and other benefits (HB 1509 signed 4/21/22)





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**Proof of Vaccination:** Effective April 21, state entities are prohibited from discriminating against or refusing to serve someone based on whether they have proof of COVID-19 immunity. This law does not prohibit private businesses from requiring customers to be vaccinated. (HB 1509 signed 4/21/22)

## MISSOURI

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective June 29, public entities and political subdivisions are prohibited from requiring an employee to receive a COVID-19 vaccination as a condition of employment. (HB 1606)

**Proof of Vaccination:** Effective June 15, 2021, any county, city, town, or village that receives public funds is prohibited from requiring documentation of a COVID-19 vaccination in order for an individual to access transportation systems or other public services. This law does not prohibit private businesses from requiring customers to be vaccinated. (HB 271 signed 6/15/21)

## MONTANA

**Private Sector:** There are limitations on private entities requiring proof of vaccination. Effective May 7, 2021, employers and government entities are prohibited from discriminating based on vaccination status. (HB 702 signed 5/7/21) On Dec. 9, 2022, a U.S. District Judge permanently blocked the section of the law HB 702 as it relates to preventing health care facilities from requiring their employees to be vaccinated against communicable diseases. Effective May 5, 2023, care facilities are prohibited from imposing limitations on visitation on the basis of a visitor's vaccination status or require a visitor to receive a vaccine (SB 308). A care facility is defined as a hospice, hospital, or long-term care facility.

**Public Sector:** Effective May 7, 2021, employers and government entities are prohibited from discriminating based on vaccination status. (HB 702 signed 5/7/21). On Dec. 9, 2022, a U.S. District Judge permanently blocked the section of the law HB 702 as it relates to preventing health care facilities from requiring their employees to be vaccinated against communicable diseases. Effective April 26, 2023, vaccination status is prohibited from being used as evidence or grounds for decisions in certain administrative and legal proceedings related to child support, child custody, visitation, or parental rights (HB 684)

**Proof of Vaccination:** Effective May 7, 2021, employers and government entities are prohibited from discriminating based on whether the person has an immunity passport. (HB 702 signed 5/7/21). On Dec. 9, 2022, a U.S. District Judge permanently blocked the section of the law HB 702 as it relates to preventing health care facilities from requiring their employees to be vaccinated against communicable diseases. Effective April 13, 2021, government entities are prohibited from issuing vaccine passports or other documentation to certify COVID-19 vaccination status. Additionally, businesses are prohibited from requiring customers to provide proof of vaccination to enter or receive services. (EO 7-2021 issued 4/13/21)

## NEBRASKA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Feb. 28, 2022, employers must allow for exemptions from a COVID-19 vaccine requirement based on medical or religious reasons. (LB 906 passed 2/28/22)

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.



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## NEVADA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees. Previously, through March 25, 2022, state employees who were not fully vaccinated were required to undergo weekly testing.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Feb. 2, 2022, the Nevada Department of Health and Human Services announced that COVID-19 vaccination records can be accessed through the SMART Health QR Code tool.

## NEW HAMPSHIRE

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective July 23, 2021, the government may not compel any person to accept an immunization. (HB 220 signed 7/23/21)

**Public Sector:** Effective Aug. 23, 2022, state hospitals and medical facilities are required to grant religious and medical exemptions from vaccination requirements. (HB 1604 signed 6/29/22) Effective July 1, 2022, state entities are prohibited from enforcing any federal law, order, or rule that requires an individual, as a condition of employment or any other activity, to provide proof of vaccination against COVID-19 or to submit more than once per month to COVID-19 testing. (HB 1455 signed 7/7/22) Effective June 24, 2022 state entities are prohibited from requiring that businesses mandate vaccination or documentation of vaccination or immunity, except when certifying a provider subject to a Medicare or Medicaid vaccination requirement. (HB 1495FN signed 6/24/22) Effective July 23, 2021, state and local governments are prohibited from requiring COVID-19 vaccines. This prohibition does not apply to the department of corrections, the state hospital, county nursing homes, and any other medical facility they own. (HB 220 signed 7/23/21)

**Proof of Vaccination:** Effective July 23, 2021, no person may be compelled to receive an immunization for COVID-19 in order to secure, receive, or access any public facility, any public benefit, or any public service. (HB 220 signed 7/23/21)

## NEW JERSEY

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees. Previously, effective Oct. 20, 2021 through Sept. 1, 2022, state employees and contractors of state agencies were required to be fully vaccinated or undergo weekly testing. (EO 271 was issued 10/20/21 and rescinded by EO 302 on 8/15/22). Employees working in high-risk congregate settings are no longer required to be fully vaccinated or undergo regular testing. (EO 252 issued 8/6/21; this provision rescinded by EO 325 on 4/3/23). Covered workers in health care settings are still required to be up to date with COVID-19 vaccinations

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination, but on July 12th, the New Jersey Department of Health announced that individuals may use the Docket app to access their immunization records, including records of their COVID-19 vaccinations.





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## NEW MEXICO

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective July 1, 2023, a child's parent or guardian may file an immunization exemption based on medical or religious reasons. A certificate, affidavit, or written affirmation may be obtained from a physician, physician assistant, certified nurse practitioner, an officer of a recognized religious denomination, or the child's parent or legal guardian. Upon filing and approval, the child is exempt from the immunization requirement for a period of up to nine months (SB 81 enacted 4/4/23).

**Public Sector:** Employees and volunteers working in state correctional facilities are required to be vaccinated against COVID-19 unless they qualify for an exemption. Previously, from Aug. 2021 through Aug. 2022, all state employees were required to be vaccinated or undergo regular testing once every two weeks. Employees of the Office of the Governor were required to be vaccinated and boosted against COVID-19.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## NEW YORK

**Private Sector:** There is no vaccine mandate or ban for private employers. Note: As of Nov. 1, 2022, New York City will no longer mandate that private employers require all of their workers to be vaccinated against COVID-19. Previously, this requirement was in place beginning Dec. 27, 2021.

**Public Sector:** Effective June 7, 2022, there is no testing requirement for unvaccinated state employees. Previously beginning in Oct. 2021, state employees as well as MTA and Port Authority employees were required to be vaccinated or undergo weekly testing.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. Effective March 24, 2023, anyone requiring an immunization passport is required to accept a valid COVID-19 Vaccination Record Card (A 4132). On March 26, 2021, Gov. Andrew Cuomo announced the launch of Excelsior Pass, a voluntary app that allows people to upload negative COVID-19 test results or proof of vaccination.

## NORTH CAROLINA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 1, 2021, unvaccinated state government employees in cabinet agencies are required to wear masks and undergo weekly testing.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## NORTH DAKOTA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Nov. 12, 2021, individuals are allowed to be exempt from any employer vaccination requirement if they submit proof of COVID-19 antibodies, have a medical condition, have a religious, philosophical, or moral belief opposing immunization, or submit to periodic COVID-19 testing. (HB 1511 signed 11/12/21) Effective May 7, 2021, state government entities are prohibited from requiring private businesses to obtain documentation communicating an individual's COVID-19





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vaccination status before employment (HB 1465 signed 5/7/21). Effective April 20, 2023, this prohibition includes any vaccination authorized by the federal food and drug administration under emergency use authorization (SB 2274) Effective April 13, 2023, a hospital may not deny health care treatment or services to an individual based on that individual's COVID-19 vaccination status (HB 1502).

**Public Sector:** Effective Nov. 12, 2021, state and local governments are prohibited from requiring COVID-19 vaccines. This prohibition does not apply to the department of corrections, the state hospital, or a public health unit (HB 1511 signed 11/12/21). Effective May 7, 2021, state government entities are prohibited from requiring private businesses to obtain documentation communicating an individual's vaccination status before employment. (HB 1465 signed 5/7/21). Effective April 20, 2023, these prohibitions include any vaccination authorized by the federal food and drug administration under emergency use authorization (SB 2274). Effective April 13, 2023, a hospital may not deny health care treatment or services to an individual based on that individual's COVID-19 vaccination status (HB 1502).

**Proof of Vaccination:** Effective Nov. 12, 2021, private businesses are prohibited from requiring customers to provide documentation certifying COVID-19 vaccination status. (HB 1511 signed 11/12/21) Effective May 7, 2021, state government entities are prohibited from requiring documentation certifying an individual's vaccination status. (HB 1465 signed 5/7/21)

## OHIO

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## OKLAHOMA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective June 1, 2021, state agencies are prohibited from requiring that people show proof of vaccination to enter public buildings. The order doesn't apply to employees or buildings of state agencies that are primarily involved in medical patient-facing activities. This order does not prohibit private businesses from requiring customers to be vaccinated (EO issued 5/28/21)

## OREGON

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees as of April 1, 2022. Previously beginning in Oct. 2021, executive branch employees were required to be vaccinated.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. As of April 26, the Oregon Health Authority has an option for people vaccinated against COVID-19 to download an electronic version of their vaccine cards





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## PENNSYLVANIA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## RHODE ISLAND

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Dec. 1, 2021, Governor Dan McKee announced that Rhode Islanders may use the 401 Health app as a vaccine passport.

## SOUTH CAROLINA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Employers must provide an exemption to COVID-19 vaccine mandates based on medical or religious reasons. A medical exemption may include the presence of antibodies, a prior positive COVID-19 test, or pregnancy. Additionally, if a private employer issues a vaccine mandate, it may not be extended to independent contractors or third parties that provide goods or services to the employer. (H 3126 is effective 4/25/22 through 12/31/23)

**Public Sector:** State entities are prohibited from mandating COVID-19 vaccination as a condition of employment. (H 3126 is effective 4/25/22 through 12/31/23) Effective Nov. 4, 2021, state agencies within the governor's Cabinet are prohibited from implementing vaccine requirements as a condition of employment or to access government services and facilities. (EO 2021-38 issued 11/4/21)

**Proof of Vaccination:** Effective July 1, 2022, The Department of Health and Environmental Control is prohibited from issuing COVID-19 immunity passports, including SMART Health Cards. (H 5150) Places of public accommodation (including hotels, restaurants, hospitals, retail stores, movie theaters, and other such establishments) are prohibited from discriminating on the basis of vaccination status. (H 3126 is effective 4/25/22 through 12/31/23) Effective May 11, 2021, state and local government agencies are prohibited from developing or requiring a vaccine passport. The state is also prohibited from requiring proof of COVID-19 vaccination as a condition of receiving government services or gaining access to any facilities. This order does not prohibit private businesses from requiring customers to be vaccinated. (EO 2021-23 issued 5/11/21)

## SOUTH DAKOTA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.



# HR COMPLIANCE OVERVIEW

**Proof of Vaccination:** Effective April 20, 2021, state and local agencies are prohibited from requiring individuals to present a COVID-19 vaccine passport and requiring private businesses to mandate a vaccine passport in order to access government benefits and facilities. This order does not prohibit private businesses from requiring customers to be vaccinated (EO 2021-08 issued 4/20/21)

## TENNESSEE

**Private Sector:** There are limitations on private entities requiring proof of vaccination. Effective May 4, 2022, government entities and private businesses may not treat individuals with natural immunity to COVID-19 differently than individuals who have received the COVID-19 vaccine (SB 1982 passed 5/4/22). Effective March 15, 2022, employers with a mandatory COVID-19 vaccination policy are required to grant exemptions based on medical or religious reasons (SB 1823 passed 3/15/22). Effective Nov. 18, 2021, private businesses are prohibited from compelling or taking adverse actions against a person to compel them to provide proof of vaccination. An "adverse action" includes discrimination against a person by denying them employment or access to services. (SB 9014 passed 11/18/21)

**Public Sector:** Effective May 25, 2021, the governor and state agencies are prohibited from adopting or enforcing a requirement to receive a COVID-19 vaccination. (HB 13 signed 5/25/21) Effective Nov. 18, 2021, government entities are prohibited from compelling or taking adverse actions against a person to compel them to provide proof of vaccination. An "adverse action" includes discrimination against a person by denying them employment or access to services. (SB 9014 passed 11/18/21)

**Proof of Vaccination:** Effective May 26, 2021, state and local governmental officials, entities, departments, and agencies are prohibited from requiring documentation related to an individual's immunization or vaccination against COVID-19 as a condition of entering upon the premises of a state or local government entity, or utilizing services provided by a state or local government entity. This law does not prohibit private businesses from requiring customers to be vaccinated. (SB 858 signed 5/26/21)

## TEXAS

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on mandates. Effective Oct. 11, 2021, all entities, including private businesses, must exempt vaccination for any individual, including an employee or a consumer, who objects to such vaccination for any reason of personal conscience, based on a religious belief, or for medical reasons, including prior recovery from COVID-19. (EO-GA-40 issued 10/11/21)

**Public Sector:** Effective Aug. 25, 2021, government entities cannot compel any individual to receive a COVID-19 vaccine, and state agencies are prohibited from adopting or enforcing measures to require proof of vaccination as a condition of receiving any service or entering any place. (EO GA-39 issued 8/25/21)

**Proof of Vaccination:** Effective April 5, 2021, state agencies are prohibited from adopting or enforcing any measure that requires an individual to provide proof of vaccination as a condition of receiving any service or entering any place. Additionally, organizations receiving public funds are prohibited from requiring consumers to provide documentation of vaccine status in order to receive any service or enter any place. This law does not prohibit private businesses from requiring customers to be vaccinated (EO GA-35 issued 4/5/21) Effective June 16, 2021, governmental entities are prohibited from issuing a vaccine passport or any standardized documentation to certify COVID-19 vaccination for a purpose other than health care. (SB 968 passed 6/16/21)



# HR COMPLIANCE OVERVIEW

**UPDATE:** As of February 6, 2024, Texas will prohibit employers of all sizes from adopting or enforcing a policy that requires applicants or employees to receive a COVID-19 vaccination.

Additionally, employers can't take any adverse action against an employee or applicant for their refusal to be vaccinated against COVID-19. However, a healthcare facility, healthcare provider, or physician can have a reasonable policy that includes requiring unvaccinated employees to use protective medical equipment if they pose a risk to patients based on their routine, direct exposure to them.

## UTAH

**Private Sector:** There are limitations on private entities requiring proof of vaccination. Effective, May 3, 2023, it is a discriminatory practice for an employer to refuse employment to an individual on the basis of vaccination status (HB 131 enacted 3/15/23). Effective July 1, 2023, health care facilities are prohibited from requiring a visitor to show proof of vaccination or immunization status (HB 133 enacted 3/15/23). Effective March 22, 2022, employers must exempt employees from a vaccine requirement for medical reasons, sincerely held religious or personal beliefs, or previous COVID-19 infection. (HB 63 passed 3/22/22). Effective Nov. 16, 2021, businesses that mandate a COVID-19 vaccine are required to grant an exemption (1) if receiving the vaccine would be injurious to the health and wellbeing of the employee and (2) if receiving the vaccine would conflict with a sincerely held religious belief. (SB 2004 signed 1/16/21)

**Public Sector:** Effective, May 3, 2023, governmental entities are prohibited from requiring any individual to receive a vaccine and denying to an individual any local or state service, good, facility, advantage, privilege, license, educational opportunity, health care access, or employment opportunity based on the individual's vaccination status. Additionally, it is a discriminatory practice for an employer to refuse employment to an individual on the basis of vaccination status. Subject to accordance with certain laws, this prohibition excludes vaccine requirements by institutions of higher education, schools, child care programs, and contracts for goods or services entered into prior to May 3, 2023 (HB 131 enacted 3/15/23). Effective May 5, 2021 through May 3, 2023, government entities are prohibited from requiring a COVID-19 vaccine authorized for emergency use by the FDA as a condition of employment or participation in an activity of the government entity. This prohibition excludes facilitating the distribution of a COVID-19 vaccine and does not apply to government employees who are acting in a public health or medical setting and are required to receive vaccinations in order to perform their assigned duties and responsibilities. (HB 0308, repealed by HB 131)

**Proof of Vaccination:** Effective, May 3, 2023, governmental entities are prohibited from requiring any individual to receive a vaccine and denying to an individual any local or state service, good, facility, advantage, privilege, license, educational opportunity, health care access, or employment opportunity based on the individual's vaccination status. Additionally, it is a discriminatory practice for an employer to require proof of immunity status. Subject to accordance with certain laws, this prohibition excludes vaccine requirements by institutions of higher education, schools, child care programs, and contracts for goods or services entered into prior to May 3, 2023 (HB 131 enacted 3/15/23). Effective March 16, 2021, state agencies and public universities are prohibited from requiring individuals to show proof of vaccination. This law does not prohibit private businesses from requiring customers to be vaccinated (HB 308 signed 3/16/21)

## VERMONT

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Sept. 15, 2021, all state employees are required to be vaccinated or undergo weekly testing. (9/8/21 announcement) Effective Aug. 10, 2021, state employees who work with vulnerable populations in veterans homes, correctional facilities, and psychiatric hospitals are required to be vaccinated. (8/10/21 announcement)





# HR COMPLIANCE OVERVIEW

**Proof of Vaccination:** There is no statewide proof of vaccination requirement.

## VIRGINIA

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Jan. 15, 2022, vaccine mandates are prohibited for Executive Branch Employees and the executive order mandating vaccines for state workers is rescinded. (Executive Directive 2 issued 1/15/22). Previously, all state workers were required to be vaccinated or undergo weekly testing. (EO 18 issued 8/5/21)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination. On Sept. 16th, the Virginia Department of Health announced the launch of QR codes to show proof of COVID-19 vaccination. Residents may log in to Virginia's COVID-19 Vaccination Record Request Portal, an existing portal on the VDH website, and either receive a QR code or print out a PDF confirming their vaccination status.

## WASHINGTON

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Nov. 1, 2022, employees of the governor's executive and small cabinet agencies must be vaccinated against COVID-19 (Directive 22-13.1). On June 30, 2022, Gov. Jay Inslee directed his cabinet agencies to implement policies to require their employees to be vaccinated against COVID-19 (Directive 22-13). A permanent COVID-19 vaccination condition of employment requirement for state executive and small cabinet agencies will go into effect at the conclusion of rulemaking expected in the fall of 2022. New employees will be immediately subject to the requirement, and current employees have until July 1, 2023, to step into compliance. Effective Feb. 25, 2022, staff working for Secretary of State Steve Hobbs are required to be vaccinated. (1/4/22 announcement) Effective Nov. 30, 2021, on-site contractors working with the offices of the Attorney General, Commissioner of Public Lands and the Department of Natural Resources, Insurance Commissioner, Lieutenant Governor, and Superintendent of Public Instruction are required to be vaccinated. (Proclamation 21-14.2 issued (9/27/21) Effective Oct. 18, 2021, any state agency workers, including on-site contractors and volunteers, are required to be vaccinated against COVID-19 as a condition of employment. (Proclamation 21-14 issued 8/9/21)

**Proof of Vaccination:** On Nov. 23, 2021, the Washington Department of health launched WA Verify, the state's digital COVID-19 verification record system. This allows individuals to receive a QR code and digital copy of their COVID-19 vaccine record in order to share proof of vaccination.

## WEST VIRGINIA

**Private Sector:** There is no vaccine mandate or ban for private employers, but this state has limitations on vaccine mandates. Effective Oct. 20, 2021, public and private employers must exempt vaccination as a condition of employment for any employee who has a religious or medical exemption. (HB 335 signed 10/20/21)

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective March 30, 2022, A state or local governmental entity may not require proof of vaccination as a condition of entering the premises of a government entity, or utilizing services provided by a government entity. (HB 4012 signed 3/30/22)







# HR COMPLIANCE OVERVIEW

## WISCONSIN

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** Effective Oct. 18, 2021, all Department of Administration executive branch employees, interns, and contractors are required to be vaccinated or undergo weekly testing. (guidance issued 9/14/21)

**Proof of Vaccination:** There is no statewide requirement to show proof of vaccination.

## WYOMING

**Private Sector:** There is no vaccine mandate or ban for private employers.

**Public Sector:** There is no vaccine mandate or ban for state employees.

**Proof of Vaccination:** Effective May 7, 2021, state agencies, boards, and commissions are prohibited from requiring proof of vaccination or vaccine passports to receive services. This directive encourages private businesses to align their practices accordingly, but does not prohibit private businesses from requiring customers to be vaccinated. (Directive issued 5/7/21)