

# LEGAL UPDATE

## Supreme Court Upholds New York Vaccine Mandate for Health Care

On Dec. 13, 2021, the U.S. Supreme Court issued an [order](#) denying a request from a group of health care workers to be exempt, on religious grounds, from New York's statewide vaccination requirement for health care workers. The court [previously rejected a similar challenge to Maine's vaccine mandate](#) for health care workers on Oct. 29, 2021.

### Background

Beginning in September 2021, [the New York mandate at issue](#) requires all health care workers in the state to be vaccinated against COVID-19. The only exception is for situations in which a worker presents written proof from a health care provider showing that the vaccine would be "detrimental" to the worker's health "based on a pre-existing condition."

### Supreme Court Case

Several health care workers sued the state to block it from enforcing the COVID-19 mandate against them due to their religious beliefs. After two lower courts declined, the Supreme Court also refused to block the law.

Because the case was brought on an emergency basis, the court did not explain its decision. However, a dissenting opinion notes that under [guidance issued by the New York Department of Labor](#) on Sept. 25, 2021, workers who lose their jobs because of their refusal to get vaccinated are automatically disqualified from receiving unemployment benefits in the state.

### Employer Impact

The upheld mandate applies to all hospitals, nursing homes, home care agencies and other health care facilities in New York. These employers should become familiar with the state vaccine mandate and the Supreme Court's decision. In addition, all employers should become familiar with [guidance on federal fair employment laws and workplace vaccination mandates](#) issued by the federal Equal Employment Opportunity Commission (EEOC).

### Highlights

#### Health Care Vaccine Mandate

A statewide mandate first issued in August 2021 requires all health care workers in New York to be vaccinated against COVID-19.

#### No Religious Exemption

The state mandate does not allow exemptions for religious beliefs. It does allow exemptions for medical reasons.

#### Supreme Court Decision

On Dec. 13, 2021, the U.S. Supreme Court refused to block the state from enforcing the law against workers who objected on religious grounds.

*Health care employers in New York must ensure employees receive the COVID-19 vaccine despite religious objections, except when medically detrimental.*

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