

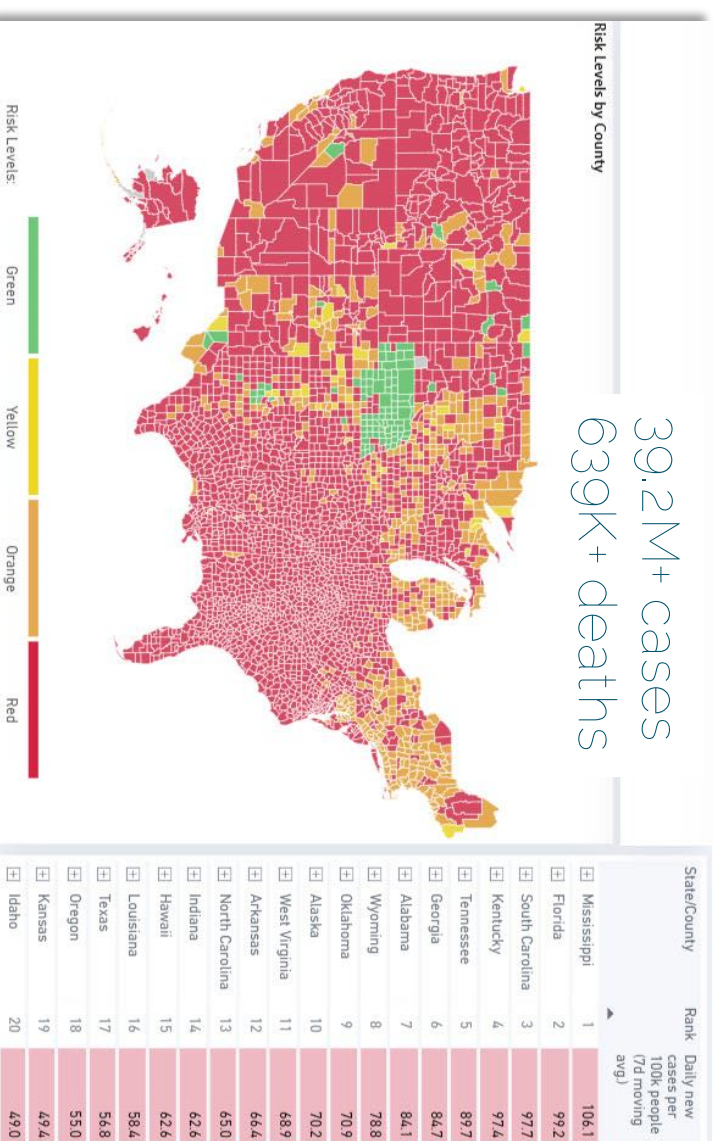
# COVID-19: vaccines, variants & the way forward

David Aronoff, MD, FIDSA, FAAM  
Director, Division of Infectious Diseases  
August 2021

VANDERBILT  HEALTH

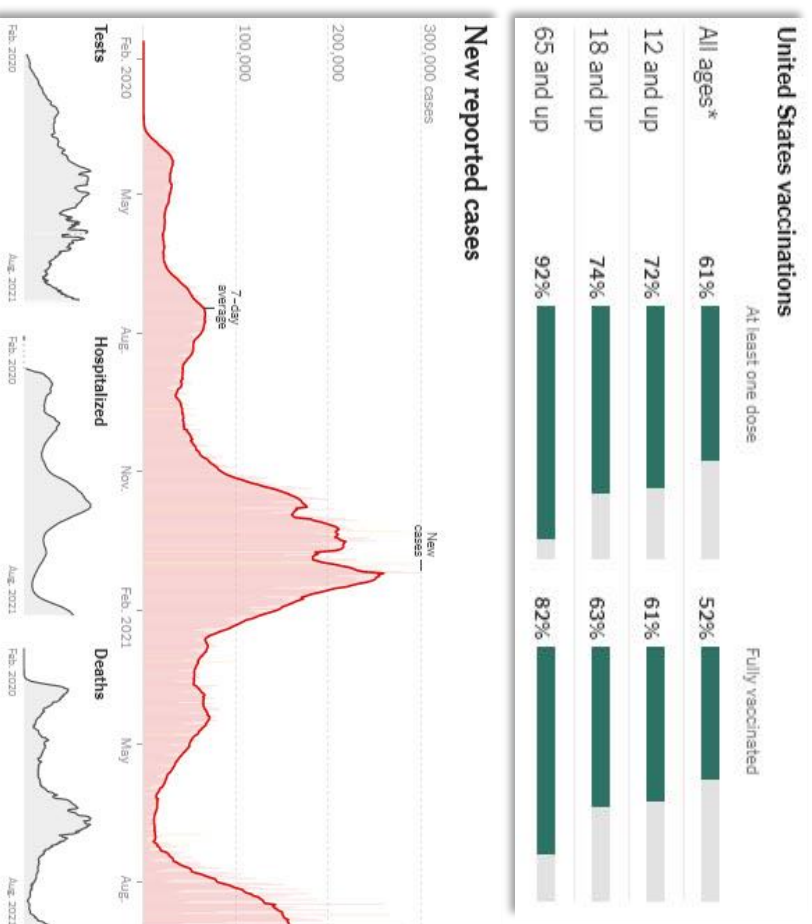


# Where We Are Today: USA



<https://globalepidemics.org/key-metrics-for-covid-suppression/>

(These data accessed on 08/31/2021)



<https://www.nytimes.com/interactive/2021/us/covid-cases.html>

# What We Know About the Delta Variant

1. Delta is more contagious than the other virus strains
  - 2-3 times MORE contagious than the original SARS-CoV-2
  - Shorter incubation period from infection-to-symptoms (4 vs 5 days)
  - Infected people shed much higher levels of virus (>1,000-fold more)
2. Unvaccinated people are at greatest risk, including younger people
3. Delta could lead to 'hyperlocal outbreaks' where vaccine uptake is low
4. Breakthrough cases for vaccinated people can occur
5. Even infected, vaccinated people can transmit virus



<https://www.globaltimes.cn/page/202107/1227847.shtml>  
<https://www.alemedicine.org/news/5-things-to-know-delta-variant-covid>  
<https://health.ucdavis.edu/coronavirus/covid-19-information/delta-variant.html>  
<https://www.medrxiv.org/content/10.1101/2021.07.19.21260808v1.full.pdf>  
<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>

# What We Know About the Delta Variant

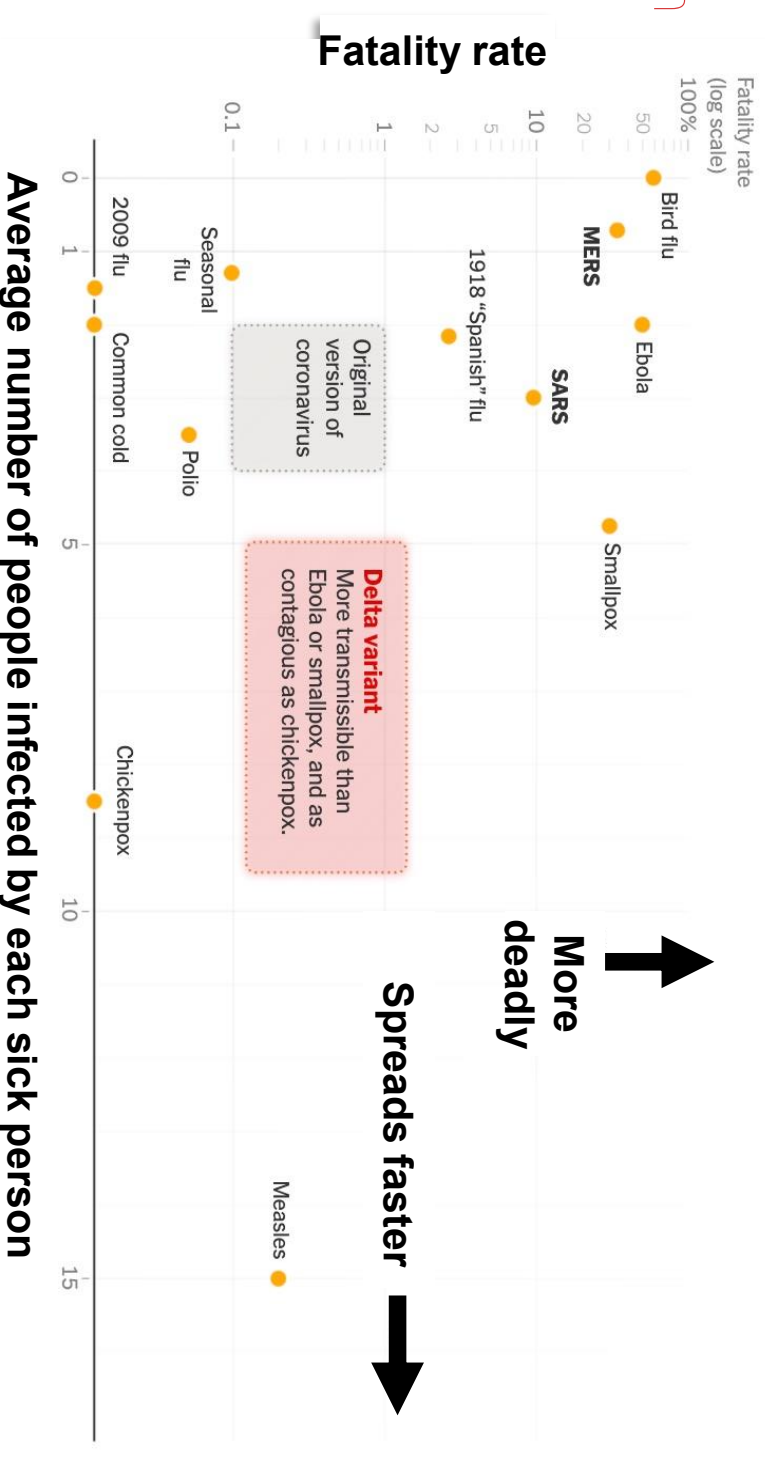
Delta is more contagious than

- Smallpox
- Ebola
- Seasonal flu
- Polio
- Common cold

It is more like  
Chickenpox!

## The Delta Variant

An internal document from the Centers for Disease Control and Prevention notes that the Delta variant is much more contagious than other known versions of the virus.



# FDA Approval for Vaccines?



## FDA NEWS RELEASE

# FDA Approves First COVID-19 Vaccine

*Approval Signifies Key Achievement for Public Health*

**For Immediate Release:** August 23, 2021

Today, the U.S. Food and Drug Administration approved the first COVID-19 vaccine. vaccine has been known as the Pfizer-BioNTech COVID-19 Vaccine, and will now be marketed as Comirnaty (koe-mir'-na-tee), for the prevention of COVID-19 disease in



COMIRNATY/Pfizer-BioNTech COVID-19 Vaccine received full FDA approval for people ages 16 and older.

**If you've been waiting to get vaccinated, do it today.**

[cdc.gov/coronavirus](https://cdc.gov/coronavirus)

COVID-19: A B212021

# Key Points about Vaccine Effectiveness over Time

- Multiple studies show vaccine effectiveness against **SARS-CoV-2 infection** is waning over time
  - This is driving the recommendations for boosters
- Multiple studies show vaccine effectiveness against **severe COVID-19, hospitalizations, & death** remains strong
  - This is countering the drive for boosters



# Statement on COVID-19 Booster Shots

## Joint Statement from HHS Public Health and Medical Experts on COVID-19 Booster Shots

### Media Statement

For Immediate Release: Wednesday, August 18, 2021

Contact: [Media Relations](#)  
(404) 639-3286

## THE WALL STREET JOURNAL.

English Edition | Print Edition | Video | Podcasts | Latest Headlines

### Biden Administration Likely to Approve Covid-19 Boosters at Six Months

"We are pro Pfizer, BionTech have requested clearance for Covid-19 vaccine boosters that an official said could be administered six months after 20 and start

were fully vaccinated earliest in the vaccine rollout, including many healthcare providers, nursing home residents, and other seniors, will likely be eligible for a booster."

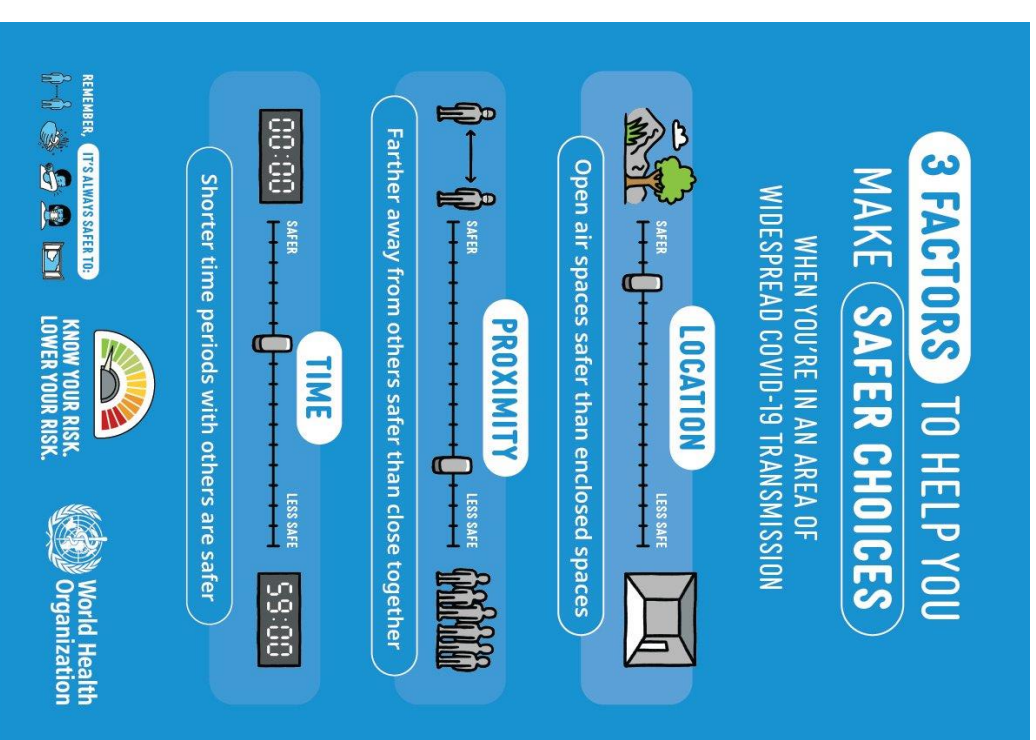
- We also anticipate booster shots will likely be needed for the people who received the Johnson & Johnson (J&J) vaccine. Administration of the J&J vaccine did not begin in the US until March 2021, and we expect more data on J&J in the next few weeks."

[Source link: CDC](#)

# Getting Together Safely

- It is impossible to reduce the risk of disease transmission to zero
- A goal is to meet without putting attendees (or their families/colleagues) at risk for getting seriously ill
- Discourage immunocompromised people from attending gatherings
- Make options for recording sessions/hybrid presentations (in-person/virtual)
- Make sure travelers have a plan for if they get ill during their trip

<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>  
[https://www.cdc.gov/coronavirus/2019-ncov/your-health/gatherings.html?CDC\\_AA=reVal+https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fyour-health%2Flarge-gatherings.html](https://www.cdc.gov/coronavirus/2019-ncov/your-health/gatherings.html?CDC_AA=reVal+https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fyour-health%2Flarge-gatherings.html)  
<https://www.who.int/news-room/q-a-detail/coronavirus-disease-covid-19-small-public-gatherings>



# Getting Together Safely

## Protect individuals:


- ✓ Mandate vaccination
- ✓ Recommend boosters when available
- ✓ Encourage pretravel testing
- ✓ Do not penalize sick people for canceling plans

## Protect others:


- ✓ Encourage pretravel testing
- ✓ Indoor masks
- ✓ Outdoor events when possible
- ✓ Have testing available
- ✓ Do not penalize sick people for canceling plans




# When Things Go Wrong

- IL Dept Public Health investigated COVID-19 outbreaks at 2 events sponsored by the same organization: a 5-day overnight church camp for persons aged 14–18 years & a 2-day men's conference
- Neither COVID-19 vaccination nor COVID-19 testing was required before either event.
- Among 122 primary cases, 104 (85%) were in persons not fully vaccinated, & 18 (15%) were in fully vaccinated persons
- 8 of 38 (21%) close contacts of the 18 fully vaccinated persons subsequently became infected with SARS-CoV-2 (4 were vaccinated). No vaccinated persons with COVID-19 were hospitalized
- "This investigation underscores the impact of secondary SARS-CoV-2 transmission during large events such as camps & conferences when COVID-19 prevention strategies, including vaccination, masking, physical distancing, & screening testing, are not implemented."

 Centers for Disease Control and Prevention  
CDC 24/7: Saving Lives, Protecting People™

Morbidity and Mortality Weekly Report (MMWR)  
CDC

Search 

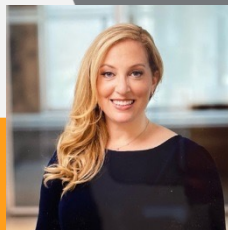
   

**Epidemiologically Linked COVID-19 Outbreaks at a Youth Camp and Men's Conference — Illinois, June–July 2021**  
*Early Release / August 31, 2021 / 70*  
James Matthias, MPH<sup>1</sup>; Sarah Patrick, PhD<sup>2</sup>; Ann Wringa, PhD<sup>3</sup>; Amanda Pullman, MPH, MT<sup>1</sup>; Stephanie Hinton, MS, MHS<sup>1</sup>; Jon Campos<sup>3</sup>; Terri Beville<sup>4</sup>; Mallory Sinner, MPH<sup>5</sup>; Torre T. Buchanan, PhD<sup>5</sup>; Bryan Sim<sup>5</sup>; Kristin E. Goldesberry, MPH, MSc<sup>5</sup> [View author affiliations](#)

# Thank You

[d.aronoff@VUMC.org](mailto:d.aronoff@VUMC.org)

# Welcome + Introduction



## **Jessica Golden Cortes**

Partner, Labor + Employment Practice Group

Davis+Gilbert LLP

212 468 4808

[jcortes@dglaw.com](mailto:jcortes@dglaw.com)



# REOPENING CONSIDERATIONS PRE-DELTA

- Employers planned to re-open in a more formal capacity mid-September/early October
- Employers strongly recommended vaccination, leaned away from mandatory vaccination policy
- Employers would permit unvaccinated employees to come to work provided they got regular testing, answered daily health questionnaires, wore masks and socially distanced

# REOPENING CONSIDERATIONS CHANGE BECAUSE OF DELTA

- Delayed openings
- Significant shift toward mandatory vaccination policies
- FDA approval of Pfizer vaccine further influencing this shift
  - Prior to FDA approval, concern that private employers could not mandate a vaccine that was only approved for emergency use by the FDA. FDA approval moots this concern.
  - DOJ and EEOC also had already provided opinions in support of mandatory vaccination before FDA approval of Pfizer vaccine

# MANDATORY VACCINE POLICY CONSIDERATIONS

- Consider state and local laws: some locations have outlawed mandatory vaccination policies, mandatory mask policies and made it unlawful to discriminate based on vaccination status
- Exceptions for health-related reasons and sincerely held religious beliefs
  - *Reasonable* accommodation must be provided
    - Subjective inquiry specific to each employee
    - Is remote work an option?

# MANDATORY VACCINE POLICY CONSIDERATIONS

- How to collect vaccination status
  - Copy of vaccine card or other approved evidence in your jurisdiction
  - View but not retain copies
  - Attestations signed by employees including date of second shot, type of shot received and location of where shot administered
  - A combination of the above

\*Subject to state and local requirements

# WHAT CONSTITUTES “FULLY VACCINATED”

- Currently: two weeks post second shot (Pfizer/Moderna) or post J+J single shot.
- Booster Shots:

“Recognizing that many vaccines are associated with a reduction in protection over time, and acknowledging that additional vaccine doses could be needed to provide long lasting protection, we have been analyzing the scientific data closely from the United States and around the world to understand how long this protection will last and how we might maximize this protection. . . .

# WHAT CONSTITUTES “FULLY VACCINATED”

. . . The available data make very clear that protection against SARS-CoV-2 infection begins to decrease over time following the initial doses of vaccination, and in association with the dominance of the Delta variant, we are starting to see evidence of reduced protection against mild and moderate disease. . . . We are prepared to offer booster shots for all Americans beginning the week of September 20 and starting 8 months after an individual's second dose.”

– Joint statement of CDC and HHS 8/18/21

- Some jurisdictions have requirements for third party visitors as well as employees:
  - New York City – covers indoor recreational and fitness facilities – must be vaccinated to enter
  - San Francisco - gyms, recreation facilities, yoga studios, dance studios, and other fitness establishments require vaccination to enter
  - Los Angeles - all individuals, including patrons and guests, regardless of vaccination status, must wear a mask while in indoor public places – including offices.
- Other jurisdictions prohibit such requirements, such as Texas

# Questions?

## Jessica Golden Cortes

### Partner

Davis+Gilbert LLP

212-468-4808

[jcortes@dglaw.com](mailto:jcortes@dglaw.com)