

CLIENT ALERT

CDC Issues New Guidance for Fully Vaccinated Individuals

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On Tuesday, April, 27, 2021, the Centers for Disease Control and Prevention (CDC) issued Interim Public Health Recommendations for Fully Vaccinated People. The [guidance](#) enumerates various situations in which fully vaccinated individuals may forgo wearing a mask, and circumstances in which they may refrain from quarantining and testing. The guidance considers individuals “fully vaccinated for COVID-19 \geq 2 weeks after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna), or \geq 2 weeks after they have received a single-dose vaccine (Johnson and Johnson (J&J)/Janssen).” The guidance includes various specific recommendations.

- **Socializing in Indoor Private Settings.** Fully vaccinated people are permitted to socialize with other fully vaccinated individuals, and unvaccinated people (including children) from a single household who are at low risk for being hospitalized, needing intensive care treatment, or use of a ventilator to help them breathe (symptoms of “[severe COVID-19](#)”) if they catch COVID-19, without masks or socially distancing. According to the CDC, [older adults](#), particularly adults aged 85+, [pregnant](#) women, and adults suffering from [certain medical conditions](#), including but not limited to cancer, chronic kidney disease and lung disease, dementia, down syndrome, heart condition, HIV infection, immunocompromised state, liver disease, obesity, and sickle cell disease, are at risk for “severe COVID-19.” If fully vaccinated individuals visit unvaccinated members from a **single** household who are at risk of “severe COVID-19,” the CDC urges all attendees to wear a mask and stay at least six feet away from others. Likewise, a gathering of vaccinated individuals and unvaccinated people from **multiple** households must continue to wear masks while staying at least six feet away from others in a “well-ventilated” space. In general, the guidance recommends socializing outdoors over indoors. The CDC recommends that fully vaccinated people continue to refrain from participating in [indoor large-sized in-person gatherings](#) but urges them to wear a mask if they choose to do so.
- **Personal or Social Activities Outside the Home.** Fully vaccinated individuals are now permitted to participate in outdoor activities and recreation (e.g., running, walking, biking, and dining outdoors) without a mask, except in certain [crowded settings and venues](#), including but not limited to conferences, trade shows, sporting events, festivals, concerts, or large weddings and parties. The CDC recommends, however, that fully vaccinated people should continue to wear a mask when engaging in indoor social activities in public settings, such as dining indoors at a restaurant, going to the gym or an indoor movie theater, and visiting a barber or hair salon.
- **Travel.** Fully vaccinated travelers need not self-quarantine following domestic or international trips, nor are they required to get tested for COVID-19 before or after domestic travel, unless it is mandated by local, state, or territorial health authorities. International travelers are exempt from getting tested before departing the United States, unless required by the destination. The CDC still [requires](#) **all** air travelers arriving in the U.S. from a foreign country to submit proof of a negative COVID-19 test or documentation showing recovery from COVID-19 prior to boarding a flight to the U.S. International travelers are still encouraged to get a test three to five days after arriving in the U.S.
- **Isolation, Quarantine, and Testing.** Fully vaccinated people experiencing [COVID-19 symptoms](#) should [isolate](#) themselves and get tested if necessary. Most fully vaccinated individuals with no COVID-like symptoms following an

exposure to a person with suspected or confirmed COVID-19, however, are not required to quarantine, be restricted from work, or get tested. These individuals should monitor for symptoms of COVID-19 for 14 days following exposure. If they experience symptoms, then they should isolate and be clinically evaluated for COVID-19, including testing. The guidance further recommends testing (but not quarantine) following an exposure to someone with suspected or confirmed COVID-19 for the following fully vaccinated individuals: residents and employees of non-healthcare congregate settings (e.g., correctional and detention facilities, homeless shelters), employees of high-density workplaces (e.g., poultry processing plants), and dormitory residents (or similar high-density housing settings) at educational institutions. Finally, the CDC recommends that fully vaccinated individuals with no COVID-19 symptoms and no known exposure to the disease should be exempt from screening testing programs, if reasonable.

Aspects of the new guidance provide good news to U.S. employers, including the elimination of the workplace quarantine recommendations for fully vaccinated people. Traveling for business will also be easier now that the CDC permits domestic fliers to refrain from testing before or after travel or self-quarantine after travel. International travel is likewise streamlined with fully vaccinated individuals exempt from testing before leaving the U.S. (unless required by the destination) and self-quarantine after arriving back in the U.S.

The new CDC guidance raises several critical questions for employers. The CDC recommends that fully vaccinated people continue to take precautions in “indoor public settings” without providing a definition for that phrase. The CDC also recommends fully vaccinated people follow policies implemented by their employers as well as applicable state and local law. Recent rollbacks of COVID-related restrictions in certain states will continue to present challenging interpretative questions for employers operating in those jurisdictions. Unlike other CDC COVID-related guidance, these recommendations are not intended to be principally directed to the private sector workplace. We hope that additional guidance, from agencies including CDC, EEOC, and OSHA, will provide important further clarification to employers as they begin to implement back-to-work policies.

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