February 8, 2022

**VIA E-MAIL (REGSQNA@health.ny.gov)**

Ms. Katherine Ceroalo  
New York State Department of Health  
Bureau of Program Counsel, Regulatory Affairs Unit  
Corning Tower Building, Room 2438  
Empire State Plaza  
Albany, New York 12237


Dear Ms. Ceroalo:

New Yorkers for Constitutional Freedoms (NYCF) is New York’s statewide evangelical Christian advocacy organization. Please accept this correspondence as a public comment on the above-referenced proposed regulation.

The proposed regulation would continue the existing requirement that employees at hospitals, nursing homes, and various other medical facilities be vaccinated against COVID-19. The proposed regulation includes a medical exemption, but no religious exemption.

We respectfully urge the Department to rescind the proposed regulation instead of making it permanent. The ongoing COVID-19 pandemic has led to increased need for health care personnel, and New York hospitals are confronting staffing shortages. However, since the vaccine mandate for health care personnel went into effect on an emergency basis, tens of thousands of health care personnel have left their jobs because they declined to be vaccinated against COVID-19. Pushing health care personnel out of their jobs during a pandemic is not just unwise; it is dangerous. The Department could, and should, allow unvaccinated health care personnel to remain on the job if they take appropriate precautions.
If the Department does not opt to rescind the proposed regulation, it should amend the regulation to include a religious exemption. While the vaccine mandate survived a court challenge in its current form, the absence of a religious exemption remains deeply objectionable. Some New York health care personnel have religious objections to the COVID-19 vaccine. It is sad and disturbing that the vaccine mandate has forced those personnel to choose between their religious beliefs and their careers. Some of these workers placed their lives and health on the line by continuing to do their jobs during the early days of the pandemic. Their heroism should be respected, and so should their freedom of conscience.

Thank you for your consideration.

In His Service,

Jason J. McGuire
Executive Director