STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

Executive Office
1625 North Market Boulevard, Suite N-308, Sacramento, CA 95834
P (800) 952-5210 | www.dca.ca.gov

Order Waiving Restrictions On Licensed Midwives, Physician Assistants, Respiratory Care Practitioners, And Veterinarians Ordering And Administering COVID-19 Vaccines In Association With State or Local Vaccination Efforts

On March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the impacts of COVID-19 to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare to respond to an increasing number of individuals requiring medical care and hospitalization as a result of a broader spread of COVID-19.

Pursuant to the Governor's Executive Order N-39-20, during the State of Emergency, the Director of the California Department of Consumer Affairs may waive any statutory or regulatory requirements and amend scopes of practice pertaining to individuals licensed pursuant to Division 2 of the Business and Professions Code (the Code).

On March 11, 2021, the Acting Secretary of the federal Department of Health and Human Services issued the Seventh Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19 (the Declaration). In relevant part, the Declaration designated categories of licensed healthcare professionals to independently order and administer COVID-19 vaccines, including any licensed midwife, physician assistant, respiratory care practitioner, or veterinarian, subject to specified conditions.

Pursuant to the Governor's Executive Order, and consistent with the Declaration, the Director waives any statutory or regulatory provision in Division 2 of the Code and the implementing regulations, to the extent that such provision prohibits any licensed midwife, physician assistant, respiratory care practitioner, or veterinarian from independently ordering or administering COVID-19 vaccines, subject to the following conditions:

- The healthcare professional orders or administers the subject vaccine in association with a State, local, or institutional COVID-19 vaccination effort;
- The healthcare professional successfully completes the required COVID-19 training programs prescribed by the California Department of Public Health at the following website: https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/COVIDTraining-Non-Traditional.aspx;

- The healthcare professional has documentation of an observation period by a currently-practicing healthcare professional experienced in administering intramuscular injections, and for whom administering vaccinations is in their ordinary scope of practice, who confirms competency of the healthcare professional in preparation and administration of the subject COVID-19 vaccines;
- When administering vaccines, the subject healthcare professional is supervised by a currently-practicing healthcare professional who is experienced in administering intramuscular injections;
- The healthcare professional has a current certificate in basic cardiopulmonary resuscitation;
- The healthcare professional complies with all applicable federal and state recordkeeping and reporting requirements, including providing documentation to the patient's primary care provider, as applicable, and entering information in the appropriate immunization information system designated by the immunization branch of the State Department of Public Health;
- The healthcare professional complies with any applicable requirements (or conditions of use) as set forth in the Centers for Disease Control and Prevention COVID-19 vaccination provider agreement;
- The subject vaccine is authorized, approved, or licensed by the federal Food and Drug Administration; and,
- The subject vaccine is administered in accordance with any applicable FDA emergency use authorization or license.

Licensed midwives, physician assistants, respiratory care practitioners, and veterinarians acting within the scope of this Order may independently order and administer any COVID-19 vaccines that are approved or authorized by the FDA, as specified.

This waiver is effective immediately but may be amended as circumstances require.

Dated: March 30, 2021

Signature on File

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Kimberly Kirchmeyer
Director