John Bel Edwards
GOVERNOR

Dr. Courtney N. Phillips
SECRETARY

State of Louisiana

Louisiana Department of Health
Office of Public Health

EMERGENCY ORDER

PROTOCOL FOR ADMINISTRATION OF CERTAIN COVID-19 VACCINES
Phlebotomists

FROM: Joseph Kanter, MD, MPH, State Health Officer Joseph Kanter, M.D.

SUBJECT: EMERGENCY ORDER

PURPOSE/APPLICABILITY: To authorize licensed phlebotomists to administer the Pfizer, Moderna, and Janssen COVID-19 vaccines by protocol in lieu of a patient-specific order from a physician or prescribing practitioner.

POLICY STATEMENT: The protocol authorized herein is intended to ensure the safety, efficacy, and increased provision of COVID-19 immunizations to meet the needs of the public welfare.

EFFECTIVE DATES: This Emergency Order shall be effective as of 12:01 a.m. on March 25, 2021 and shall remain in effect until further notice from the State Health Officer. However, termination of the Public Health Emergency concerning COVID-19 originally declared by Governor John Bel Edwards in Proclamation Number 25 JBE 2020, will result in the automatic termination of this Emergency Order.

RATIONALE AND LEGAL AUTHORITY:

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a "public health emergency of international concern" (PHEIC). On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, et seq., a state of public health emergency resulting from the outbreak of "coronavirus disease 2019" ("COVID-19") was initially declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020, and was extended to the present date by subsequent declarations.

WHEREAS, a COVID-19 vaccine developed by Pfizer-BioNTech (hereinafter the "Pfizer vaccine") received Emergency Use Authorization ("EUA") from the U.S. Food and Drug Administration ("FDA") on December 11, 2020. A COVID-19 vaccine developed by Moderna (hereinafter the "Moderna vaccine") received an EUA from the FDA on December 18, 2020. A COVID-19 vaccine developed by Janssen Biotech, Inc. (hereinafter the "Janssen vaccine") received an EUA from the FDA on February 27, 2021.

WHEREAS, the White House's Operation Warp Speed ("OWS"), renamed and merged into the White House COVID-19 Response Team ("WHCRT") shortly after President Biden took office, began sending limited shipments of both the Pfizer and Moderna vaccines to Louisiana in late December, 2020, and the number of shipments is expected to drastically increase in the coming months as Pfizer and Moderna increase their output of the vaccines. WHCRT began sending shipments of the Janssen vaccine to Louisiana in the first week of March, 2021, and shipments are expected to quickly increase in the coming weeks and months.

WHEREAS, administering COVID vaccinations to as many Louisiana residents as possible as quickly as possible is vitally important. However, because the Pfizer and Moderna available vaccines require administration of two separate doses at two separate times, and because so many health professionals in the state are already overwhelmed dealing with COVID patients (in addition to dealing with everyday non-COVID issues), the state may experience a shortage in the number of authorized health professionals needed to quickly administer all doses of the vaccines as they are received from WHCRT. This is particularly true in the more rural parts of the state. As the number of WHCRT vaccine shipments increases in the coming months, this shortage may be expected to increase.

WHEREAS, allowing phlebotomists to administer the Pfizer, Moderna, and Janssen vaccines pursuant to a Protocol will help reduce the above-described shortage and will free-up other medical resources.

WHEREAS, the SHO has determined that the any risks associated with allowing phlebotomists meeting the criteria set forth below to administer the Pfizer, Moderna, and Janssen vaccines as set forth herein is outweighed by the benefits of expanded timely administration of as many doses as possible.

NOW THEREFORE, pursuant to the powers vested in me by La. R.S. 40:1 *et seq.*, particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(1) and (2), I, Joseph Kanter, MD, MPH, State Health Officer, do hereby issue the following emergency order:

A phlebotomist licensed in Louisiana is hereby authorized to administer the Pfizer, Moderna, and Janssen COVID-19 vaccines pursuant to the respective Protocols for each attached to this EMERGENCY ORDER, which must be followed in their entirety, without the need for an individualized patient-specific prescription or

order from a physician or other prescribing practitioner, if s/he meets <u>all</u> of the following criteria:

1. **The phlebotomist has successfully completed the CDC's online COVID-19 vaccine training course (Course No. WB4460).**

2. **The phlebotomist is competent by virtue of education and/or clinical training to safely and effectively administer intramuscular deltoid injections.**

3. **The phlebotomist is under the supervision of an on-site physician, pharmacist, or Nurse Practitioner who is licensed and in good standing by their respective licensure board.**

Signed this 23 day of March, 2021.

Joseph Kanter, M.D.

Joseph Kanter, MD, MPH
State Health Officer

Concurrence:

Dr. Courtney N. Phillips March 25, 2021

Dr. Courtney N. Phillips DATE
Secretary, Louisiana Department of Health