STATE OF NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

SECRETARIAL ORDER No. 8
Allowing Licensed Dentists to Administer COVID-19 Vaccinations

March 3, 2021

On March 10, 2020, Governor Cooper issued Executive Order No. 116 (the "Declaration of a State of Emergency") which declared a State of Emergency to coordinate the state's response and protective actions to address the Coronavirus Disease 2019 (COVID-19) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina.

COVID-19 remains a serious threat to North Carolina communities, as evidenced by the fact that between January 17, 2021 and January 30, 2021, ninety four of North Carolina's one hundred counties were experiencing "substantial (orange)" or "critical (red)" COVID-19 community spread, according to the County Alert System developed by the North Carolina Department of Health and Human Services ("NCDHHS"), which evaluates a county's COVID19 case counts, percent positives, and hospital capacity.

More than eight hundred sixty-five thousand five hundred (865,500) people in North Carolina have been diagnosed with COVID-19, and more than eleven thousand (11,000) people in North Carolina have died from the disease.

Until enough North Carolinians are vaccinated, COVID-19 will continue to cause devastating illness and death. As of the date of the Secretarial Order, the United States Food and Drug Administration (the "FDA") has authorized two vaccines for COVID-19, and one or more additional vaccines are expected to be authorized in the near term. Rigorous clinical trials have demonstrated that the FDA-authorized COVID19 vaccinations are safe and effective, and that the known and potential benefits of the FDA authorized COVID-19 vaccines outweigh the known and potential harms of contracting the COVID-19 virus. The vaccine is free to all North Carolinians, regardless of insurance status.

There is a growing need of health care providers to administer the vaccine, however, licensed dentists, who have medical training, are not authorized to administer vaccines due to licensing requirements of North Carolina General Statute § 90-18, and rules promulgated by the North Carolina Board of Medical Examiners. Accordingly, the undersigned has been delegated authority to remove any such barriers which would prevent or impair the ability of licensed dentists to administer FDA authorized COVID-19 vaccines and to administer, by injection, epinephrine or diphenhydramine for the treatment of a severe allergic reaction to a COVID-19 vaccine.

Section I. Waiver of Legal and Regulatory Requirements

Based upon the foregoing, and pursuant to the authority delegated to me by Governor Cooper in Executive Order No. 193, I hereby order that any legal or regulatory constraints on the administration of vaccines which would prevent licensed dentists to independently administer any COVID-19 vaccination that has been approved or authorized for emergency use by the FDA or to administer, by injection, epinephrine or diphenhydramine for the treatment of a severe allergic reaction to a COVID-19 vaccine are hereby waived. The administration of such vaccines, or the administration by injection of epinephrine or diphenhydramine for severe allergic reactions to a COVID-19 vaccination by a licensed dentist does not constitute the unlawful practice of medicine. In order to administer vaccines, licensed dentists must abide by the terms and conditions set out by the North Carolina State Board of Dental Examiners in any orders issued pursuant to its authority set out in Executive Order No. 193.

Section II. Distribution.

This Secretarial Order shall be: (l) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; and (2) distributed to others as necessary to ensure proper implementation of this Secretarial Order.

Section III. Effective Date.

This Secretarial Order is effective immediately. This Secretarial Order shall remain in effect until May 10, 2021, unless rescinded or replaced with a superseding Secretarial Order. An Executive Order rescinding the Declaration of the State of Emergency will automatically rescind this Secretarial Order.

Signed this the 3rd day of March 2021.

Mandy K. Cohen, MD, MPH
Secretary