State of Delaware

Executive Department
Dover

JOINT ORDER OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DELAWARE EMERGENCY MANAGEMENT AGENCY

WHEREAS, on March 12, 2020, the Governor of Delaware issued a State of Emergency due to the public health threat of COVID-19, which took effect on March 13, 2020 at 8:00 a.m. E.D.T; and

WHEREAS, on March 16, 2020, the Governor of Delaware issued the First Amended Modification to the State of Emergency authorizing the Delaware Emergency Management Agency and Department of Health and Social Services, Division of Public Health to take "such other measures as they deem necessary to protect the health and safety of the public"; and

WHEREAS, under Title 20, Chapter 31, the Director of the Delaware Emergency

Management Agency is authorized to direct vaccinations of persons as protection against infectious disease and to prevent the spread of contagious or possible contagious disease; and

WHEREAS, under Title 20, Chapter 31, the Director of the Delaware Emergency Management Agency is permitted to authorize any qualified individual to perform vaccinations; and

WHEREAS, on September 3, 2020, the Governor of Delaware issued the Twenty-Seventh Modification to the State of Emergency; and

WHEREAS, on December 16, 2020, the Division of Public Health received the first shipment of COVID-19 vaccines.

NOW THEREFORE, I, A.J. Schall, Director of the Delaware Emergency Management Agency and I, Karyl Rattay, Director of the Division of Public Health on behalf of the Department of Health and Social Services, pursuant to Title 20, Chapter 31 of the Delaware Code, do hereby declare that this Order shall be effective as of January 5, 2021 at 8:00 a.m. E.S.T., and shall remain in effect until further notice but not later than such time as the later of the Governor's Declaration of Public Health Emergency or Declaration of a State of Emergency (including Modifications) is lifted:

1. The individuals listed in Appendix A are authorized as qualified personnel who may perform COVID-19 vaccinations. Such individuals must report vaccinations are required by the Delaware Department of Health and Social Services' December 9, 2020 order. Such individuals must provide all materials necessary for vaccine administration, including personal protective equipment, syringes and alcohol prep pads.

2. Any qualified person appointed pursuant to this order shall be considered a public employee under §§ 4001- 4002 of Title 10.

APPROVED this 4th day of January 2021 at 5 p.m., E.S.T.

DELAWARE DIVISION OF PUBLIC HEALTH

Karyl T. Rattay, MD, MS, FAAP, Director

DELAWARE EMERGENCY MANAGEMENT AGENCY

A.J. Schall, Director

Appendix A

The following groups of individuals are authorized to administer COVID-19 vaccinations pursuant to 20 *Del C.* § 3137:

1) School nurses working in an educational setting without a Medical Director to provide standing order. Such nurses may work under the Standing Order issued by Division of Public Health Medical Director, Dr. Rick Hong.

2) Nurses working in an assisted living facility without a Medical Director to provide standing orders. Such nurses may work under the Standing Order issued by the Division of Public Health Medical Director, Dr. Rick Hong.

3) Pharmacy Technicians. Any such technicians may only perform vaccinations if s/he meets all of the following requirements:

- Prior to administration of the COVID-19 vaccination to any patient, the pharmacy technician must be registered with the Delaware Division of Professional Regulation, and the registration application must be signed by the supervising pharmacist.
- The pharmacy technician must have certification from either the Pharmacy Technician Certification Board or the National Healthcareer Association.
- The vaccination must be ordered by the supervising pharmacist.
- The supervising pharmacist must be readily and immediately available to the immunizing pharmacy technician at all times.
- The vaccine must be FDA-authorized or FDA-licensed and must be ordered and administered according to the COVID-19 vaccine recommendations of the Advisory Committee on Immunization Practices.
- The pharmacy technician must complete a practical training program that is approved by the Accreditation Council for Pharmacy Education ("ACPE"). This training program must include hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.
- The pharmacy technician must have a current certificate in basic CPR.
- The supervising pharmacist must comply with the immunization recordkeeping and reporting requirements of the State of Delaware, including but not limited to Board of Pharmacy Regulations 14.2.4 and 14.2.6.
- The supervising pharmacist is responsible for complying with requirements related to reporting adverse events, including but not limited to Board of Pharmacy Regulation 14.2.5.

- The supervising pharmacist must review the vaccine registry or other vaccination records prior to ordering the vaccination to be administered by the pharmacy technician.
- The pharmacy technician must, if the patient is 18 years of age or younger, inform the patient and the adult caregiver accompanying the patient of the importance of a well-child visit with a pediatrician or other licensed primary-care provider and refer patients as appropriate.
- The supervising pharmacist must comply with any applicable requirements or conditions of use as set forth in the Center for Disease Control's COVID-19 vaccination provider agreement and any other federal requirements that apply to the administration of COVID-19 vaccines.

4) Any healthcare professional or other individual who holds an active license or certification permitting the person to prescribe, dispense, or administer vaccines under the law of any State so long as the license or certification is in good standing and subject to the individual providing documentation of completion of the Centers for Disease Control and Prevention COVID-19 Vaccine Training Modules and, for healthcare providers who are not currently practicing, documentation of an observation period by a currently practicing healthcare professional adequately experienced in vaccination who confirms competency of the healthcare provider in preparation and administration of the particular COVID-19 vaccine(s) to be administered.

5) Any physician, advanced practice registered nurse, registered nurse, or practical nurse who has held an active license or certification to prescribe, dispense, or administer vaccines under the law of any State within the last five years, which is inactive, expired or lapsed, so long as that license was active and in good standing for the duration of the five-year period prior to the date of this Order documentation of completion of the Centers for Disease Control and Prevention COVID-19 Vaccine Training Modules1 and an observation period by a currently practicing healthcare professional adequately experienced in vaccination who confirms competency of the healthcare provider in preparation and administration of the particular COVID-19 vaccine(s) to be administered.

6) Pharmacists working without the services of a Medical Director to provide standing orders. Such pharmacists may work under the Standing Order issued by Division of Public Health Medical Director, Dr. Rick Hong.

7) Dentists licensed under Chapter 11 of Title 24, whose licenses are active and in good standing.

8) Podiatrists licensed under Chapter 5 of Title 24, whose licenses are active and in good standing.

9) Veterinarians licensed under Chapter 33 of Title 24, whose licenses are active and in good standing.

10) Emergency Medical Technicians. Any such technicians may only perform vaccinations if s/he meets all of the following requirements:

- The EMT must be certified by the Delaware State Fire Commission and the National Registry of EMTs.
- The EMT must hold a current Healthcare Provider CPR card.
- The EMT must be in good standing with the state of Delaware's Basic Life Support (BLS) Medical Director.
- The EMT must be without current disciplinary action from employer or the Delaware State Fire Commission.
- The EMT must be endorsed by the Fire Commission, the BLS Medical Director and their Chief and/or company director.
- The EMT must successfully complete a didactic course, to include recognition and treatment of adverse and allergic reactions to vaccine, and practical skills portion to include intramuscular injections, that is approved and provided by the Office of Emergency Medical Services.
- The EMT must be recognized by the Office of Emergency Medical Services as a vaccinator.
- The EMT who has met the above requirements may only provide vaccinations at DPH-recognized vaccination events.
    - The EMT must have a higher-level medical provider i.e. a paramedic or nurse, supervising and readily available at all times during the vaccination event.
    - The EMT may not vaccinate any person who is determined to have an absolute or relative contraindication. They must refer that person to a higher medical provider for consultation and vaccination.

Created: January 4, 2021
Modified: February 17, 2021 (to include paragraphs 4, 5, and 6); March 11, 2021 (to include paragraphs 7, 8, 9 and 10).