Maryland
DEPARTMENT OF HEALTH

AMENDED DIRECTIVE AND ORDER REGARDING VACCINATION MATTERS

Pursuant to the Governor's Executive Order Relating to Various Healthcare Matters

No. MDH 2021-01-01-01

I, Dennis R. Schrader, Acting Secretary of Health, finding it necessary for the prevention and control of 2019 Novel Coronavirus ("SARS-CoV-2" or "2019-NCoV" or "COVID-19"), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of this infectious and contagious disease under the Governor's Declaration of Catastrophic Health Emergency.

This Amended Directive and Order replaces and supersedes the Directive and Order Regarding Vaccination matters, dated December 8, 2020.

1. **Definitions**

   A. "Vaccination Site" means any location at which COVID-19 vaccinations are offered to the public in accordance with the State of Maryland's Vaccination Plan and includes, but is not limited to, facilities as defined in the Order of the Governor of the State of Maryland No. 20-11-17-02 Establishing Alternate Care Sites and Authorizing Regulation of Patient Care space in Health Care Facilities, the offices of health care practitioners, local health departments, pharmacies, urgent care centers, and any event at which vaccinations are offered in accordance with the State of Maryland's Vaccination Plan.

   B. "COVID-19 Vaccine(s)" means any COVID-19 vaccine that has U.S. Food and Drug Administration (FDA) approval or has been granted an Emergency Use Authorization from the FDA.

<u>Administration of COVID-19 Vaccines</u>

2. **Personnel Who May Administer Vaccines**

   The following individuals may administer COVID-19 vaccines at vaccination sites:

   A. Health care practitioners licensed, certified, or registered under the provisions of the Health Occupations Article whose scope of practice includes the administration of vaccines;

   B. Health care practitioners licensed, certified, or registered under the provisions of the Health Occupations Article whose scope of practice does not include the administration of vaccines provided that:

i. The health care practitioner has successfully completed training on the administration of COVID-19 vaccines;

ii. Qualified supervisory personnel at the vaccination site reasonably determine that said health care practitioner is able to administer COVID-19 vaccines under appropriate supervision; and

iii. The health care practitioner administers the COVID-19 vaccine at the vaccination site under reasonable supervision of qualified supervisory personnel.

C. Paramedics as authorized by the Emergency Medical Services (EMS) Board under EMS Board Public Order #6; and

D. Other individuals provided that:

i. Each individual has successfully completed training on the administration of COVID-19 vaccines;

ii. Qualified supervisory personnel at the vaccination site reasonably determine that each individual is able to administer COVID-19 vaccines under appropriate supervision; and

iii. The individual administers the COVID-19 vaccine at the vaccination site under the reasonable supervision of qualified supervisory personnel.

3. **Personnel Who May Prepare Vaccines for Administration**

The following individuals may prepare, as necessary when directed by the manufacturer, COVID-19 vaccines for administration at vaccination sites:

i. Health care practitioners licensed, certified, or registered under the provisions of the Health Occupations Article who have received appropriate training in the preparation and dilution of COVID-19 vaccines.

4. **Vaccine Allocation Priority**

A. COVID-19 vaccine shall be administered to individuals according to the State's prioritization requirements, as laid out and updated in its vaccine prioritization guidance or bulletins.

i. Any individual may receive a vaccine at any time, provided that their priority group has been identified as eligible and an appointment is available at a vaccine clinic. A COVID-19 vaccine administration site may establish additional appointment requirements or other restrictions necessary for the management of individuals and administration of vaccine.

ii. The administration of COVID-19 vaccines shall be subject to the supply of vaccine.

iii. Individuals in each priority group are strongly encouraged to get vaccinated when vaccines are made available to their priority group. If they do not get vaccinated with their group, they shall receive priority, to the extent feasible, when the individuals do seek to obtain vaccinations.

B. To the extent possible, a provider that has excess doses of COVID-19 vaccine that may be wasted due to having been thawed before they can be used at the original distribution site shall notify the local health department for potential reallocation to priority groups. Local health departments shall prioritize the usage of excess doses of COVID-19 vaccine at their next available clinic. Either MDH or the local health department may authorize deviation from the above prioritization requirements solely for the purposes of avoiding COVID-19 vaccine wastage.

C. A provider or facility's vaccine allocation may be reduced if Maryland's Immunization Information System, ImmuNet, does not reflect that the provider or facility has administered at least 75 percent of all of the total first dose allocation received to date.

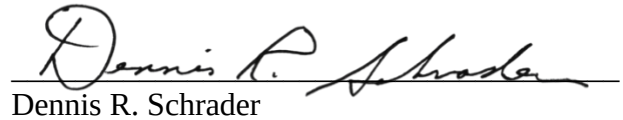
5. **Penalties**

Persons who violate this Order and Directive may face administrative and criminal sanctions to include imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

6. **Severability**

If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THIS DIRECTIVE AND ORDER IS ISSUED UNDER MY HAND THIS 1ST DAY OF JANUARY 2021 AND IS EFFECTIVE IMMEDIATELY.



Dennis R. Schrader
Secretary (Acting)