

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS**

**ADMINISTRATIVE ORDER AND NOTICE OF RULE ADOPTION AND WAIVER
PURSUANT TO P.L. 2020, c. 18**

**COVID IMMUNIZATION ADMINISTRATION BY ADDITIONAL
HEALTH CARE PRACTITIONERS**

**DCA Administrative Order No. 2021-14 and DCA Waiver No. 2021-08
Superseding DCA Administrative Order No. 2021-07 and DCA Waiver No. 2021-03**

Administrative Order and Temporary Rule Adoption and Waiver by Kaitlin A. Caruso, Acting Director, Division of Consumer Affairs

Date: June 3, 2021

Authority: P.L. 2020, c. 18

Effective Date: June 3, 2021

Expiration Date: Concurrent with the end of the state of emergency or the public health emergency declared pursuant to Executive Order No. 103 (2020) (EO 103), whichever is later.

* * *

WHEREAS, on March 9, 2020, through EO 103, the facts and circumstances of which are adopted by reference herein, Governor Murphy declared both a public health emergency and a state of emergency throughout the State due to the public health hazard posed by coronavirus disease 2019 (COVID-19) and authorized agency heads to waive, suspend, or modify existing rules when enforcement would be detrimental to the public interest during the emergency; and

WHEREAS, the public health emergency declared in EO 103 has been extended most recently by Executive Order No. 235 (2021), issued on April 15, 2021, and continues to exist today; and

WHEREAS, on April 3, 2020, the Director of the Division of Consumer Affairs (Director) issued DCA AO 2020-02, waiving regulatory restrictions on the reentry to practice, authorizing the reactivation of licensure by physicians, physician assistants, midwives, advanced practice nurses, registered nurses, licensed practical nurses and respiratory care therapists who retired from practice and held a license in this State that has for five years or less been in inactive or administratively suspended status, and practiced under the authority of that license at some time within the last five years; and

WHEREAS, on April 14, 2020, Governor Murphy signed into law P.L. 2020, c. 18, which permits the Director to issue administrative orders to suspend temporarily any provision of Title 45 of the Revised Statutes or suspend or modify temporarily any rule adopted pursuant to such authority, or to adopt temporarily any rule relating to the practice of any profession licensed or certified by a board in the Division of Consumer Affairs (Division), upon concurrence by the Attorney General, after determining that such order is necessary to promote the public welfare and further such other purposes of the state of emergency or public health emergency declared in EO 103; and

WHEREAS, New Jersey submitted to the Centers for Disease Control and Prevention a required Interim COVID-19 Vaccination Plan (the “Plan”) in October 2020, which was updated on December 15, 2020; and

WHEREAS, the Plan aims to provide equitable access to vaccines to all who live, work, and/or are educated in New Jersey; achieve community protection against COVID-19, assuming vaccine effectiveness, availability, and uptake; and build sustainable trust in COVID-19 vaccines and other vaccines; and

WHEREAS, the process of vaccinating the population to levels sufficient to establish community immunity is expected to take months and will require comprehensive and aggressive State efforts to maximize the benefits of vaccination across all communities as quickly as feasible; and

WHEREAS, it is critically important that a sufficient number of residents receive the full course of a COVID-19 vaccine as quickly as supply allows in order to optimize protection against COVID-19; and

WHEREAS, vaccines have now received Emergency Use Authorization (EUA) from the United States Food and Drug Administration (FDA) to combat the spread of COVID-19 and are being dispensed at many points of dispensing (PODs), including mega-sites, hospitals, pharmacies, and local boards of health across the State; and

WHEREAS, PODs are required to operate in a manner consistent with the Plan, implemented by the Department of Health’s (DOH) Executive Directive 20-035 (DOH ED-035), through organizations that have entered into Centers for Disease Control and Prevention (CDC) COVID-19 Vaccine Provider Agreements and are required to comply with the operational requirements; and

WHEREAS, the supply of COVID-19 vaccines is expected to increase over the coming months, making it necessary to ensure that there are sufficient numbers of health care providers at PODs to ensure that vaccines are distributed quickly; and

WHEREAS, encouraging States to expand scope of practice, where needed, for non-physician health practitioners, including but not limited to physician assistants, pharmacists, and registered nurses, to surge the COVID-19 vaccinator workforce is part of the National Strategy for the COVID-19 Response and Pandemic Preparedness (Jan. 2021); and

WHEREAS, on January 5, 2021, the Director issued Administrative Orders DCA AO 2021-01 and DCA AO 2021-02, which expanded the pool of health care providers available to administer COVID-19 vaccines to include pharmacists, pharmacy interns, pharmacy externs, and pharmacy technicians, specifying the obligations of supervising pharmacists; and

WHEREAS, on January 6, 2021, the New Jersey Commissioner of Health issued Executive Directive 20-037 (DOH ED-20-037), specifically authorizing physicians, physician assistants, dentists, nurses, pharmacists, and paramedics to administer COVID-19 vaccines and recognizing that ancillary health care personnel and health care providers-in-training could also perform vaccination functions within their scope of practice or through a DCA Administrative Order setting forth training, supervision requirements and conditions for vaccination administration; and

WHEREAS, DOH ED-20-037 further requires that all health care providers who administer vaccines at PODs are to be provided with training by a physician, registered professional nurse, advanced practice nurse, physician assistant, or pharmacist proficient in reconstitution and drawing of medications in a manner consistent with the CDC's "COVID-19 Vaccination Training Programs and Reference Materials for Healthcare Professionals" and the FDA's COVID-19 vaccination guidance; and

WHEREAS, pursuant to DOH ED-20-037, those health care professionals charged with the responsibility to provide training also are charged with the responsibility to determine and validate vaccine administration knowledge, skill, and current competency of any health care providers before permitting them to administer a COVID-19 vaccine, including through the use of training materials available through the CDC website at <https://www.cdc.gov/vaccines/ed/index.html> and the Skills Checklist for Vaccine Administration available through the Immunization Action Coalition website at <https://www.immunize.org/catg.d/p7010.pdf>; and

WHEREAS, on February 19, 2021, I issued Administrative Order DCA AO 2021-07, further expanding the pool of health care providers available to administer COVID-19 vaccines by recognizing that dentists, licensed practical nurses, and certified homemaker home health aides are trained to provide injections within their scope of practice and can provide vital support to the State's COVID-19 response by administering vaccines, and recognizing that additional providers, including respiratory care therapists, perfusionists, podiatrists, optometrists, physical therapists, athletic trainers and certain dental hygienists, once having been trained in accordance with DOH ED-20-037, can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, the Public Readiness and Emergency Preparedness Act (PREP Act) was enacted on December 30, 2005, as Public Law 109– 148, Division C, § 2 and, on March 10, 2020, the United States Department of Health and Human Services (HHS) issued a Declaration under the PREP Act for medical countermeasures against COVID–19 (85 FR 15198, Mar. 17, 2020); and

WHEREAS, the HHS issued a 7th Amendment to the Declaration (7th Amendment) on March 10, 2021, which identified veterinarians and midwives as additional categories of health care providers, beyond those enumerated in DCA AO 2021-07, who are or can be qualified to prescribe, dispense or administer COVID-19 vaccines; and

WHEREAS the 7th Amendment recognizes that certain physicians, advanced practice registered nurses, registered nurses, practical nurses, pharmacists, pharmacy interns, midwives, respiratory therapists, dentists, physician assistants, podiatrists, optometrists, and veterinarians who were licensed in any state and practiced within the past five years should be eligible to administer COVID-19 vaccines; and

WHEREAS, although DOH ED-20-037 and DCA AO 2021-07 expressly identify “health care providers” authorized to administer COVID-19 vaccines, and many are authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and some have a current scope of practice includes the administration of medications, only physicians, advanced practice nurses, physician assistants and pharmacists are authorized to conduct the requisite training at PODs or to determine the competency of other health care professionals who may, pursuant to Executive Directive or Administrative Order, administer a COVID-19 vaccine; and

WHEREAS, licensed practical nurses, although not expressly authorized by N.J.S.A. 45:11-23 to independently administer vaccines, are authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment and are authorized within their current scope of practice to administer vaccinations if that task is delegated and supervised by a registered nurse, advanced practice nurse, or physician; and

WHEREAS, certified homemaker home health aides, although not expressly authorized by N.J.S.A. 45:11-23 to independently administer vaccines, are authorized within their current scope of practice to administer vaccinations if that task is delegated and supervised by a registered nurse, advanced practice nurse, or physician; and

WHEREAS, respiratory care therapists are licensed pursuant to N.J.S.A. 45:14E-9, are specifically included in the definition of “health care provider” set forth in the Emergency Health Powers Act (EHPA) at N.J.S.A. 26:13-2 and are authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and while their current scope of practice, as set forth at N.J.A.C. 13:44F-3.1, does not expressly include the authority to administer vaccines, it does include authorization to administer medication and drugs under the direction of a physician, advanced practice nurse, or physician assistant, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccines as quickly as possible under the State’s Vaccination Plan as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, respiratory care therapists can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, perfusionists are licensed pursuant to N.J.S.A. 45:9-37.94 and N.J.S.A. 45:9-37.101, and are specifically included in the definition of “health care provider” set forth in the EHPA at N.J.S.A. 26:13-2, and while their current scope of practice, as set forth at N.J.A.C. 13:35-

2, does not expressly include the authority to administer vaccines, it does include authorization to administer pharmacological and therapeutic agents and blood products, including through intravenous lines under the supervision of a physician, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, perfusionists can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, podiatrists are licensed pursuant to N.J.S.A. 45:5-1 and authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and while N.J.S.A. 45:5-7 currently limits their scope of practice to treat any ailment of the foot or ankle, including by performing surgery or through the use of medical means, including injectable prescription medication intended to affect a local area, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, podiatrists can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, optometrists are licensed pursuant to N.J.S.A. 45:12-1, and while their current scope of practice, as set forth at N.J.A.C 13:38-24, does not expressly include the authority to administer vaccines, they are authorized to prescribe and administer injectable prescription medications and are authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan as implemented pursuant to ED-20-035, with the training as referenced in ED-20-037, optometrists can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, physical therapists are licensed pursuant to N.J.S.A. 45:9-37.11 and N.J.S.A. 45:9-37.19, and while their current scope of practice, as set forth at N.J.A.C 13:39A-2.2, does not include the authority to administer vaccines or prescribe medication, they have extensive training in the use of a wide variety of physical modalities, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccines as quickly as possible under the State's Vaccination Plan, as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, physical therapists can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, athletic trainers are licensed pursuant to N.J.S.A. 45:9-37.35 and N.J.S.A. 45:9-37.40, and while their current scope of practice, as set forth at N.J.A.C 13:35-10.7, does not include the authority to administer vaccines or prescribe medication, they have extensive training in the use of a wide variety of physical modalities, as overseen by a physician, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccines as quickly as possible under the State's Vaccination Plan, as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, athletic trainers can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, veterinarians are licensed pursuant to N.J.S.A. 45:16-9, and while their current scope of practice, as set forth at N.J.A.C 13:44-3.1, does not include the authority to administer vaccines to humans, they are authorized to prescribe and administer medications for animals and authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan as implemented pursuant to ED-20-035, with the training as referenced in ED-20-037, veterinarians can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, midwives are licensed pursuant to N.J.S.A. 45:10-6, and under their current scope of practice, as set forth at N.J.A.C 13:35-2A.5, 2A.8, 2A.9, 2A.10, 2A.11, 2A.12, and 2A.13, they are authorized to administer medications and authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan as implemented pursuant to ED-20-035, with the training as referenced in ED-20-037, midwives can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, dental hygienists are licensed pursuant to N.J.S.A. 45:6-50, and some dental hygienists are authorized to administer certain types of local anesthesia after obtaining a local anesthesia permit from the Board of Dentistry pursuant to N.J.S.A. 45:6-69.1 and N.J.A.C. 13:30-1A.5, and while the current scope of practice of dental hygienists who hold such a permit, as set forth at N.J.A.C 13:30-1A.3 to -1A.6, does not expressly include the authority to administer vaccines, they have training in anatomy and physiology, pharmacology, performing patient assessments, administering local anesthesia, and responding to medical emergencies, as overseen by a dentist, and accordingly, during the continued public health emergency, to facilitate the broadest deployment of COVID-19 vaccinations as quickly as possible under the State's Vaccination Plan, as implemented pursuant to DOH ED-20-035, with the training as referenced in DOH ED-20-037, dental hygienists who hold a local anesthesia permit can develop the competency, knowledge, and skill to safely administer COVID-19 vaccines; and

WHEREAS, all classes of health care practitioners set forth above should be recognized as capable of functioning as vaccinators at any POD that may be established in the State to administer COVID-19 vaccinations after receiving training in compliance with the requirements of DOH ED-20-037 and subject to appropriate supervision; and

WHEREAS, the scope of practice of advanced practice nurses, physician assistants, and pharmacists includes the ordering and administration of vaccines, and the scope of practice of registered nurses includes administration of vaccines, and these practitioners are authorized to prescribe, dispense, and administer COVID-19 vaccines pursuant to the 7th Amendment, and these classes of practitioners have the requisite training and experience in regularly administering intramuscular injections to supervise the administration of vaccines and an ability similar to physicians to observe, assess, and take any necessary action regarding effectiveness, adverse reaction, or any emergency; and

WHEREAS, permitting inactive or retired dentists, perfusionists, podiatrists, optometrists, physical therapists, athletic trainers, dental hygienists who held a local anesthesia permit, and veterinarians who held a license and engaged in professional practice within the past five years to reactivate their licenses for the limited purpose of administering COVID-19 vaccines will further increase the number of vaccinators available in the State;

WHEREAS, it is appropriate to supersede DCA Administrative Order No. 2021-07 (February 19, 2021) to accommodate the changes contemplated by the 7th Amendment, and to make other clarifications;

NOW, THEREFORE, I, Kaitlin A. Caruso, Acting Director of the Division of Consumer Affairs, by virtue of the authority vested in me by the statutes of this State, and upon concurrence by the Attorney General, determine that this ORDER is necessary to promote the public welfare and further such other purposes for which the state of emergency and public health emergency were declared, and hereby ORDER as follows:

Definitions

1. The following words and terms, when used in this Order, shall have the following meanings, unless the context clearly indicates otherwise:
 - a. “Authorized health care personnel” means
 - i. certified homemaker home health aides, perfusionists, physical therapists, athletic trainers, and those dental hygienists who hold a local anesthesia permit, who hold the relevant license, permit or certification to practice in New Jersey—including any temporary emergency license or temporary emergency reactivated license issued by the Division under this or any other order. The license, permit or certification must be active, unencumbered, and not subject to any restriction except that it may be limited to administering, dispensing and/or prescribing COVID-19 vaccinations.
 - ii. physicians, advanced practice registered nurses, registered nurses, practical nurses, pharmacists, pharmacy interns, midwives, respiratory care therapists, dentists, physician assistants, podiatrists, optometrists, or veterinarians who:
 - A. hold a license, temporary emergency license or temporary emergency reactivated license, certification, registration or permit from any state, which is current and has not been suspended or restricted by any licensing authority; or
 - B. held a license, certification, registration or permit that was active within the last five years and is presently inactive, expired or lapsed, so long as: a) the license, certification, registration or permit had not been revoked by the licensing authority, surrendered while under suspension, discipline or investigation by a licensing authority or surrendered following an arrest, and b) the individual is

not on the List of Excluded Individuals/Entities maintained by the HHS Office of Inspector General.

- b. "COVID-19 vaccine" means a vaccine that is either approved, authorized or licensed by the FDA and administered consistent with the Advisory Committee on Immunization Practices' (ACIP) COVID-19 vaccine recommendation(s).
- c. "Supervising health care practitioner" means a doctor of medicine (M.D.), a doctor of osteopathic medicine (D.O.), a registered professional nurse (R.N.), an advanced practice nurse (A.P.N.), a physician assistant (P.A.), or a pharmacist (R.Ph.) who is proficient in reconstitution and drawing of medications, who is currently licensed and practicing in the State and is experienced with administering intramuscular injections, who provides supervision at a POD to authorized health care personnel, and assumes responsibility for ensuring that authorized health care personnel administering COVID-19 vaccines at the POD are trained and have the requisite competency, skill, and knowledge, which is kept up-to-date, to administer COVID-19 vaccines.
- d. "Supervision" means that one or more supervising health care practitioners must be physically present at the POD, able to respond to an emergency, and responsible for accuracy and safety with respect to the actions of the authorized health care personnel.

Retired License Reactivation

2. Dentists, perfusionists, podiatrists, optometrists, and veterinarians may reactivate their licenses in order to prescribe, dispense and administer COVID-19 vaccines, and physical therapists, athletic trainers, and dental hygienists who held a local anesthesia permit, may reactivate their licenses in order to administer COVID-19 vaccines, so long as such practitioners held a license in New Jersey that has for five years or less been in inactive or administratively suspended status, and practiced under the authority of that license at some time within the last five years.
3. The following regulatory provisions are suspended insofar as they would impose on these practitioners restrictions on reactivation of licensure pursuant to paragraph 2, above:
 - N.J.A.C. 13:30-8.6(e) and 8.6(h) (dentists);
 - N.J.A.C. 13:35-13.12 and 13.13 (perfusionists);
 - N.J.A.C. 13:35-3.14(e) and 3.14(h) (podiatrists);
 - N.J.A.C. 13:38-3.10(d) and 3.10(g) (optometrists);
 - N.J.A.C. 13:39A-5A.2 and 5A.3 (physical therapists);
 - N.J.A.C. 13:35-10.4A and 10.4B (athletic trainers);

- N.J.A.C. 13:30-8.6(e) and 8.6(h) (dental hygienists who hold a local anesthesia permit); and
 - N.J.A.C. 13:44-1.7 and 1.8 (veterinarians).
4. N.J.S.A. 45:1-7.4 is suspended insofar as it would require individuals applying for reactivation or reinstatement pursuant to the terms of this Order to:
 - a. Pay a renewal fee, unpaid renewal fees, or reinstatement fee;
 - b. Submit a certification of employment listing each job held during the period of suspended or inactive license; and
 - c. Submit proof of having satisfied all conditions precedent to renewal including continuing education credits.
 5. All practitioners who hold a license reactivated pursuant to this Order shall act in, and only in, conformance with the requirements of this Order or any subsequent order, and shall not provide any other professional services under the authority of the reactivated license.
 - a. Dentists, podiatrists, optometrists, and veterinarians, who reactivate their licenses shall be permitted only to prescribe, dispense and administer COVID-19 vaccines.
 - b. Physical therapists, athletic trainers, perfusionists, and dental hygienists who held a local anesthesia permit who reactivate their licenses shall be permitted only to administer COVID-19 vaccines.
 6. Any other provisions of statutes and rules applicable to individuals who hold a license reactivated pursuant to this Order remain in full force and effect.

Scope Expansion

7. The provisions of N.J.S.A 45:5-7 (podiatrists), N.J.A.C. 13:38-24 (optometrists), N.J.A.C. 13:44F-3.1 (respiratory care practitioners), N.J.A.C. 13:35-2A (midwives), and N.J.A.C. 13:44 (veterinarians) are suspended insofar as those provisions would exclude from the relevant scope of practice the prescribing, dispensing or administering of COVID-19 vaccines in a manner consistent with this Order.
8. The provisions of N.J.A.C. 13:35-10.7 (athletic trainers), N.J.A.C. 13:39A-2.2 (physical therapists), N.J.A.C. 13:30:1A.1 (dental hygienists) and N.J.A.C. 13:35-2 (perfusionists) are suspended insofar as they would exclude from the relevant scope of practice the administering of COVID-19 vaccines in a manner consistent with this Order.
9. The provisions of N.J.S.A. 45:11-23 (certified homemaker-home health aides) are suspended insofar as they would otherwise require a certified homemaker-home health aide

to be employed by a home care services agency when administering COVID-19 vaccines in a manner consistent with this Order.

10. Any other provisions of the statutes and rules remain in full force and effect.

Supervision

11. Prior to directing authorized health care personnel to prescribe, dispense, or administer any COVID-19 vaccine to patients, a supervising health care practitioner shall ensure that such personnel:

- a. Hold or held the requisite license, registration, certification or permit as required by the definition of authorized health care personnel, above.
- b. Have been provided with training, consistent with the CDC's "COVID-19 Vaccination Training Programs and Reference Materials for Healthcare Professionals" and FDA's COVID-19 vaccination guidance, or such other training as may be subsequently mandated by DOH.
- c. Have the competency, knowledge, and skill, which is kept up-to-date, to prescribe, dispense, or administer the relevant COVID-19 vaccine in accordance with its FDA approval or its EUA.
- d. Such competency, knowledge, and skill are validated using training materials available through the CDC website at <https://www.cdc.gov/vaccines/ed/index.html>, including the COVID-19 Vaccine Administration Competencies Assessment Form available through the website, or as directed by DOH.

12. Prior to allowing authorized health care personnel to prescribe, dispense or administer a COVID-19 vaccine to patients, a supervising health care practitioner shall ensure that:

- a. The patient to whom the authorized health care personnel is prescribing, dispensing or administering the COVID-19 vaccine is screened using CDC established criteria for each specific vaccine to be administered, including determining whether the patient has any contraindications or precautions to vaccination as determined by the ACIP and available at <https://www.cdc.gov/vaccines/hcp/acip-recs/general-recs/contraindications.html>.
- b. A review of the person's vaccination history, COVID-19 Vaccination Record Card, or the New Jersey Immunization Information System (NJIS) has been undertaken to ensure that: (1) the patient has not already received a full course of a COVID-19 vaccine from another health care provider and (2) if the patient is presenting for the second dose of a vaccine that requires two administrations, the timing of and product used for the second dose is appropriate.

- c. The patient and/or the patient's representative, parent, or guardian has been counseled about contraindications and proper care of the injection site, and provided instructions to contact a primary care practitioner or emergency care facility in the event of an adverse reaction necessitating evaluation by a health care provider.
 - d. The patient and/or the patient's representatives, parents or guardians is provided with a vaccine information sheet and/or EUA fact sheets published by the CDC.
 - e. The patient and/or the patient's representative, parent, or guardian is informed that the administration of all COVID-19 vaccines must be reported to the NJIIS.
13. When allowing authorized health care personnel at a POD to prescribe, dispense or administer COVID-19 vaccines, the supervising health care practitioner shall ensure that such personnel:
- a. Immediately report all potential adverse events to the supervising health care practitioner.
 - b. Comply with all recordkeeping requirements pertaining to the administration of COVID-19 vaccines.
14. When directing authorized health care personnel to prescribe, dispense or administer COVID-19 vaccines, the supervising health care practitioner shall:
- a. Provide authorized health care personnel with supervision.
 - b. Document in detail and immediately report all clinically significant adverse events to the appropriate government reporting system within the time required by DOH, the FDA, and/or the CDC.
 - c. Ensure that a record identifying each patient is maintained.
 - d. Ensure that all vaccinations are timely reported to the NJIIS and that all other vaccination reporting requirements imposed by the Division, DOH, and/or the CDC are satisfied, including all requirements set forth in the POD's CDC COVID-19 Vaccination Program Provider Agreement with the CDC.

General Provisions

15. No authorized health care personnel who prescribes, dispenses or administers COVID-19 vaccines pursuant to the 7th Amendment in a manner consistent with the requirements of this Order or that Amendment will be deemed to be acting outside their scope of practice or in violation of any New Jersey professional practice act or N.J.S.A. 45:1-21(n) for the unlicensed practice of a health care profession.

16. When allowing any authorized health care personnel to prescribe, dispense, or administer COVID-19 vaccines pursuant to the 7th Amendment or this Order, in a manner consistent with the requirements of this Order, supervising health care practitioners will be deemed to be acting within their scope of practice and not in violation of any New Jersey professional practice act or N.J.S.A. 45:1-21(n) for aiding and abetting the unlicensed practice of a health care profession.
17. No authorized health care personnel who administers COVID-19 vaccines pursuant to this Order in a manner consistent with the requirements of this Order, will be deemed to be acting outside their scope of practice or in violation of any relevant New Jersey professional practice act for having engaged in unlicensed practice.
18. This Order hereby supersedes DCA Administrative Order No. 2021-07 (February 19, 2021).

This Order shall take effect immediately and shall remain in effect until the end of the state of emergency or public health emergency declared by the Governor in EO 103, whichever is later, unless expressly revoked or superseded by a subsequent Administrative Order issued by the Director of the Division of Consumer Affairs.



Date: June 3, 2021

Kaitlin A. Caruso, Acting Director