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Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

Authorisation for preparation and administration – COVID-19 VACCINE (Limited Scope COVID-19 Vaccinator)

I, Jacinda de Witts, Acting Secretary to the Department of Health, pursuant to section 22D of the **Act**, make this **Public Health Emergency Order** (PHEO #16) (**Order**) in the belief that it is necessary to do so to prevent, or respond to, a public health emergency or a serious risk to public health posed to the State of Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).

The purpose of this Order is to address the public health emergency posed by the ongoing global **SARS-CoV-2** (COVID-19) pandemic, which is currently affecting the State of Victoria.

In furtherance of that purpose, this Order is intended to facilitate the **SARS-CoV-2** (COVID-19) vaccine program, by authorising classes of persons to obtain, possess and use (including to administer), any **SARS-CoV-2** (COVID-19) vaccine approved by the **TGA** (**COVID-19 VACCINE**) under the conditions outlined in this Order.

All **authorised persons**, irrespective of their status under the **Act** and the **Regulations**, are to adhere to the conditions of this Order prior to obtaining, possessing, or using **COVID-19 VACCINE**.

1. Authorisation

By this Order, I authorise the following classes of persons (**authorised persons**) to undertake **authorised vaccination activities** in relation to the **COVID-19 VACCINE**:

- (a) persons who are engaged as a worker in the role of Limited Scope COVID-19 Vaccinator in accordance with the position description and requirements in the **Victorian Limited Scope COVID-19 Vaccinator Position Description** included as an Appendix to the Victorian COVID-19 Vaccination Guidelines, as replaced or amended from time to time (**Position Description**).

2. Activities authorised

- (a) The **authorised persons** may undertake the following **authorised vaccination activities**:
 - i. possess or obtain the **COVID-19 VACCINE** from an organisation authorised to obtain, possess or supply the vaccine pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order**; and
 - ii. reconstitute the **COVID-19 VACCINE** in accordance with the manufacturer's instructions and transfer to a single-use syringe; and
 - iii. label the syringe for administration of the **COVID-19 VACCINE** (where the product is not labelled when delivered); and
 - iv. administer, the **COVID-19 VACCINE** that has been reconstituted in accordance with the manufacturer's instructions and transferred to a single-use syringe, to persons aged 18 years and older and approved by the **TGA** as eligible to receive the vaccine.
- (b) Where a class of person is authorised to possess, obtain and use (including to prepare and administer) the **COVID-19 VACCINE**, each person within that class of **authorised persons** must ensure that they comply with the following on each occasion when they do so:
 - i. the Victorian COVID-19 Vaccination Guidelines (current at the time of administering the **COVID-19 VACCINE**); and

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- ii. the Australian Immunisation Handbook (current at the time of administering the **COVID-19 VACCINE**); and
 - iii. the National Vaccine Storage Guidelines: Strive for 5 (current at the time of administering the **COVID-19 VACCINE**); and
 - iv. any guidelines issued by the Department of Health or the Government of Australia in relation to any **COVID-19 VACCINE** approved by the TGA (current at the time of administering the **COVID-19 VACCINE**);
 - v. any requirements in the **Victorian Limited Scope COVID-19 Vaccinator Position Description**.
- (c) An approved **COVID-19 VACCINE** must only be used for persons indicated by the TGA to receive the vaccine.
- (d) The authorisation granted in clause 1 for the **authorised vaccination activities** in clause 2 is subject to the conditions detailed in clauses 3 and 4.

3. Training and supervision requirements

- (a) The authorisation to undertake **authorised vaccination activities** is contingent upon:
- i. successful completion of the specified training (including all competency assessments); and
 - ii. satisfaction of the supervision requirements, contained in the Victorian COVID-19 Vaccination Guidelines, as replaced or amended from time to time.
- (b) It is the responsibility of persons authorised under clause 1 to undertake **authorised vaccination activities** to:
- i. be aware of, and understand, the most up-to-date training and supervision requirements that apply to them by regularly checking the Victorian COVID-19 Vaccination Guidelines; and
 - ii. undertake the **authorised vaccination activities** only if the training requirements and supervision arrangements are met; and
 - iii. comply with any requirements in the **Victorian Limited Scope COVID-19 Vaccinator Position Description**.

4. Supply and premises restrictions

The **authorised vaccination activities** of **COVID-19 VACCINE** as detailed in subclauses 2(a)(i) – (iv) of this Order must take place at premises designated for vaccination service provision by health services as bodies corporate by operation of the **Health Services Act 1988** (Vic) authorised to obtain, possess, sell or supply **COVID-19 VACCINE** pursuant to the Act or **Regulations** or a **Public Health Emergency Order**.

5. Definitions and interpretation

Act means the **Drugs, Poisons and Controlled Substances Act 1981** (Vic);

authorised persons has the meaning in clause 1;

authorised vaccination activities means the activities detailed in clauses 2(a)(i)–(iv);

Public Health Emergency Order means an order made under section 22D of the Act (including an order extended, amended or varied under section 22G of the Act);

Regulations means the *Drugs, Poisons and Controlled Substances Regulations 2017* (Vic);

TGA means the Therapeutic Goods Administration, Australia.

Victorian Limited Scope COVID-19 Vaccinator Position Description has the meaning in clause 1(a);

The word ‘including’ in this Order is not a word of limitation.

This Order comes into force on the date of publication in the Government Gazette and continues in force for a period of six months, unless revoked earlier.

Dated 7 January 2022

JACINDA DE WITTS
Acting Secretary to the Department of Health

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