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Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

Authorisation for Administration – Influenza Vaccine (Surge and Student Workforces)

I, Professor Euan Wallace, Secretary to the Department of Health, pursuant to section 22D of the **Act**, make this **Public Health Emergency Order** (PHEO #20) (**Order**) in the belief that it is necessary to do so, to respond to a serious risk to public health posed to the State of Victoria by the continuing spread of severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**) and influenza and the consequent challenges for the health services within Victoria.

The impacts of the ongoing **SARS-CoV-2 (COVID-19)** pandemic, combined with increasing influenza infections in the Victorian community, has resulted in increased demand for healthcare and has exacerbated workforce pressures in the health system.

The purpose of the Order is to authorise persons, being certain health professionals and students to administer the 2022 influenza vaccine to persons aged five years and older. All **authorised persons** must successfully complete training in accordance with the conditions set out below.

The making of this Order will:

- increase health services' capacity to offer the 2022 influenza vaccine to their staff, preventing their staff from contracting and transmitting seasonal influenza and reduce the risk of influenza-related disruptions and absences during this 2022 influenza season;
- support healthcare workers to be vaccinated for influenza by 15 August 2022, as required by directions given to health service entities under the **Health Services Act 1988** and the **Ambulance Services Act 1986**; and
- increase the capacity and capability of health services to respond to influenza outbreaks in expanded healthcare settings; and to provide targeted outreach vaccination services to vulnerable groups.

In furtherance of that purpose, this Order is intended to facilitate increased access to influenza vaccination, by authorising classes of persons to obtain and possess and use (including to administer), any 2022 influenza vaccine presentations and compositions (**2022 influenza vaccine**) to persons aged five years and older, in accordance with the conditions outlined in this Order.

1. Authorisation

By this Order, I authorise the following classes of persons (**authorised persons**) to undertake **authorised vaccination activities** in relation to the **2022 influenza vaccine**, subject to the conditions in subclauses 2(b), (c), (d) and (e), the training and supervision requirements in Clause 3 and the supply and premises restrictions in Clause 4:

- (a) registered nurses registered under the **Health Practitioner Regulation National Law**, to practice in the nursing profession; and
- (b) midwives registered under the **Health Practitioner Regulation National Law**, to practice in the midwifery profession; and
- (c) enrolled nurses registered under the **Health Practitioner Regulation National Law**, to practice in the nursing profession (other than as a student or with a notation on their registration 'Does not hold Board-approved qualification in administration of medicines') and who have successfully completed unit(s) of study on intramuscular injectable medications as part of the Board-approved qualification in administration of medicines; and

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- (d) paramedics registered under the **Health Practitioner Regulation National Law**, to practice in the paramedicine profession¹; and
- (e) Aboriginal health practitioners registered under the **Health Practitioner Regulation National Law**, to practice as an Aboriginal health practitioner; and
- (f) dentists registered under the **Health Practitioner Regulation National Law**, to practice in the dentistry profession; and
- (g) dental practitioners registered under the **Health Practitioner Regulation National Law**, to practice in the dental therapy, dental hygiene and/or oral health therapy professions; and
- (h) physiotherapists registered under the **Health Practitioner Regulation National Law**, to practice in the physiotherapy profession; and
- (i) occupational therapists registered under the **Health Practitioner Regulation National Law**, to practice in the occupational therapy profession; and
- (j) podiatrists registered under the **Health Practitioner Regulation National Law**, to practice in the podiatry profession; and
- (k) optometrists registered under the **Health Practitioner Regulation National Law**, to practice in the optometry profession; and
- (l) medical radiation practitioners who are registered under the **Health Practitioner Regulation National Law** and who hold the protected titles of medical radiation practitioner, diagnostic radiographer, medical imaging technologist, radiographer, nuclear medicine scientist, nuclear medicine technologist and/or radiation therapist; and
- (m) pharmacists registered under the **Health Practitioner Regulation National Law**, to practice in the pharmacy profession; and
- (n) intern pharmacists provisionally registered with **Ahpra**; and
- (o) speech pathologists and dietitians who are eligible for registration or membership of the Australian industry or relevant professional association (as applicable), to practice in the speech pathology and/or dietetic professions; and
- (p) orthoptists who are registered with the Australian Orthoptic Board, as required under the **Regulations**; and
- (q) orthotists and prosthetists who are eligible for membership of the relevant Australian industry or professional association (as applicable), to practice in the orthotic and prosthetics professions; and
- (r) pathology collectors, having successfully completed as a minimum certification a Certificate III in Pathology Collection; and
- (s) tertiary students registered with **Ahpra** who are training and/or studying to qualify for registration in the fields of:
 - i. medicine, having successfully completed all units of study from the second year of a Bachelor's program or the first year of study of a post-graduate program or Master's program leading to provisional registration with **Ahpra** as a medical intern; and
 - ii. nursing or midwifery, having successfully completed all units of study from the first year of a Bachelor's program leading to initial registration with **Ahpra** as a nurse and/or a midwife; and
 - iii. paramedicine, having successfully completed all units of study from the first year of a Bachelor's program leading to initial registration with **Ahpra** as a paramedic; and

¹ Registered paramedics employed by Ambulance Victoria administering the influenza vaccine as part of the peer vaccination program for Ambulance Victoria operational staff must do so in accordance with PHEO #19 available at: <https://www.health.vic.gov.au/drugs-and-poisons/recent-updates>

- iv. pharmacy, having successfully completed all units of study from the third year of a Bachelor's program leading to provisional registration with **Ahpra** as a pharmacist intern; and
- v. dentistry, having successfully completed all units of study from the third year of a Bachelor's program or the second year of a Master's program leading to initial registration with **Ahpra** as a dentist; and
- vi. oral health, having successfully completed all units of study from the second year of a Bachelor's program leading to initial registration with **Ahpra** as an oral health professional (oral health therapist, dental hygienist or dental therapist); and
- vii. physiotherapy, having successfully completed all units of study from the third year of a Bachelor's program or the first year of a Master's or post-graduate entry program leading to initial registration with **Ahpra** as a physiotherapist; and
- viii. occupational therapy, having successfully completed all units of study from the third year of a Bachelor's program or the first year of a Master's or post-graduate entry program leading to initial registration with **Ahpra** as an occupational therapist; and
- ix. podiatry, having successfully completed all units of study from the third year of a Bachelor's program leading to provisional registration with **Ahpra** as a podiatrist.

2. Activities authorised

- (a) Each class of **authorised persons** may undertake the following **authorised vaccination activities**:
 - i. obtain and possess the **2022 influenza vaccine** from an organisation that is authorised to obtain and possess, sell or supply the vaccine pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order**; and
 - ii. administer the **2022 influenza vaccine** to persons aged five years and older.

Conditions

- (b) **Authorised persons** under Clause 1(e) must only administer the **2022 influenza vaccine** under an administration order from a **Registered medical practitioner** or a **nurse practitioner**.
- (c) **Registered medical practitioners** and **Nurse practitioners** may authorise an Aboriginal health practitioner in writing to administer the **2022 influenza vaccine** to persons aged five years and older, for a patient under the **Registered medical practitioner's** or **Nurse practitioner's** care.
- (d) Where a class of person is authorised to obtain and possess and use (including to administer) the **2022 influenza vaccine**, each person within that class of **authorised persons** must ensure that they comply with all the following conditions on each occasion when they do so:
 - i. the Australian Immunisation Handbook (current at the time of administering the **2022 influenza vaccine**); and
 - ii. the National Vaccine Storage Guidelines: Strive for 5 (current at the time of administering the **2022 influenza vaccine**); and
 - iii. any guidelines issued by the Department of Health or the Commonwealth Government of Australia in relation to any influenza vaccine (current at the time of administering the **2022 influenza vaccine**); and
 - iv. any requirements in the document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**.

- (e) **Authorised persons** administering the **2022 influenza vaccine** include vaccination of people aged five years and older, but exclude the circumstances of:
- i. vaccination for travel purposes²;
 - ii. vaccination of people aged four years and younger;
 - iii. vaccination of people with contraindications to influenza vaccine as defined in the Australian Immunisation Handbook (current at the time of administering the **2022 influenza vaccine**).

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 document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**, 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 document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**; and
 - ii. undertake the **authorised vaccination activities** only if their training and supervision requirements are met.

4. Supply and premises restrictions

The **authorised vaccination activities** of the **2022 influenza vaccine** as detailed in subclauses 2(a)(i)–(ii) of this Order must take place at premises designated for vaccination service provision by organisations or individuals authorised to obtain and possess and/or sell or supply the **2022 influenza 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**;

Ahpra means the Australian Health Practitioner Regulation Agency;

authorised persons has the meaning in Clause 1;

authorised vaccination activities means the activities detailed in Clause 2(a);

Health Practitioner Regulation National Law means the **Health Practitioner Regulation National Law Act 2009** as amended or replaced from time to time;

2022 influenza vaccine means the presentations and compositions of any 2022 influenza vaccine registered and available for use in Australia;

Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces means the document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces** included within the Victorian COVID-19 Vaccination Guidelines, as replaced or amended from time to time;

Nurse practitioner has the same meaning as in the **Act**;

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**);

² Travel medicine is a specialist area that is outside the scope of this Order.

Registered medical practitioner has the same meaning as in the **Act**;

Regulations means the Drugs, Poisons and Controlled Substances Regulations 2017;

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

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

Dated 9 June 2022

PROFESSOR EUAN WALLACE
Secretary to the Department of Health

Drugs, Poisons and Controlled Substances Act 1981**PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D****Authorisation for Administration – Influenza Vaccine (Limited Scope Vaccinator)**

I, Professor Euan Wallace, Secretary to the Department of Health, pursuant to section 22D of the **Act**, make this **Public Health Emergency Order (PHEO #21) (Order)** in the belief that it is necessary to do so, to respond to a serious risk to public health posed by the continuing spread of severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**) and influenza and the consequent challenges for the health services within Victoria.

The impacts of the ongoing **SARS-CoV-2 (COVID-19)** pandemic, combined with increasing influenza infections in the Victorian community, has resulted in increased demand for healthcare and has exacerbated workforce pressures in the health system.

The purpose of the Order is to authorise Limited Scope Vaccinators that have successfully completed training in accordance with the conditions set out below, to administer the 2022 influenza vaccine to persons aged 18 years and older. The scope of the Limited Scope Vaccinator is defined in the **Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions**.

The making of this Order will:

- increase health services' capacity to offer the 2022 influenza vaccine to their staff, preventing their staff from contracting and transmitting seasonal influenza and reduce the risk of influenza-related disruptions and absences during this 2022 influenza season;
- support healthcare workers to be vaccinated for influenza by 15 August 2022, as required by directions given to health service entities under the **Health Services Act 1988** and the **Ambulance Services Act 1986**; and
- increase the capacity and capability of health services to respond to influenza outbreaks in expanded healthcare settings; and to provide targeted outreach vaccination services to vulnerable groups.

In furtherance of that purpose, this Order is intended to facilitate increased access to influenza vaccination, by authorising a class of persons to obtain, possess and use (including to administer), any 2022 influenza vaccine preparations and compositions (**2022 influenza vaccine**) to persons aged 18 years and older, in accordance with the conditions outlined in this Order.

1. Authorisation

By this Order, I authorise the following class of persons (**authorised persons**) to undertake **authorised vaccination activities** in relation to the **2022 influenza vaccine**, subject to the conditions in subclauses 2(b) and (c), the training and supervision requirements in Clause 3, and the supply and premises restrictions in Clause 4:

- (a) persons who are engaged as a worker in the role of Limited Scope Vaccinator in accordance with the requirements in the document **Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions** and the document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces** included within the Victorian COVID-19 Vaccination Guidelines¹, as replaced or amended from time to time.

2. Activities authorised

- (a) The **authorised persons** may undertake the following **authorised vaccination activities**:
 - i. possess or obtain the **2022 influenza vaccine** from an organisation that is authorised to obtain, possess or supply the vaccine pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order**; and
 - ii. administer the **2022 influenza vaccine** to persons aged 18 years and older.

¹ Limited Scope [COVID-19] Vaccinators administering the COVID-19 vaccine under the Victorian COVID-19 Vaccination Program must do so in accordance with PHEO #16, available at: <https://www.coronavirus.vic.gov.au/victorian-covid-19-vaccination-guidelines>.

Conditions

- (b) Where a class of person is authorised to possess, obtain and use (including to administer) the **2022 influenza vaccine**, each person within that class of **authorised persons** must ensure that they comply with all the following conditions on each occasion when they do so:
- i. the Australian Immunisation Handbook (current at the time of administering the **2022 influenza vaccine**); and
 - ii. the National Vaccine Storage Guidelines: Strive for 5 (current at the time of administering the **2022 influenza vaccine**); and
 - iii. any guidelines issued by the Department of Health or the Commonwealth Government of Australia in relation to any influenza vaccine (current at the time of administering the **2022 influenza vaccine**);
 - iv. any requirements in the document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**, as replaced or amended from time to time; and
 - v. any requirements in the document **Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions**.
- (c) **Authorised persons** administering the **2022 influenza vaccine** include vaccination of people aged 18 years and older, but exclude the circumstances of:
- i. vaccination for travel purposes²;
 - ii. vaccination of people aged 17 years and younger;
 - iii. vaccination of people with contraindications to influenza vaccine as defined in the Australian Immunisation Handbook (current at the time of administering the **2022 influenza vaccine**);
 - iv. other exclusions as specified within the document **Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions**.

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 document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**, 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 document **Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces**; and
 - ii. undertake the authorised vaccination activities only if the training and supervision requirements are met; and
 - iii. comply with any requirements in the document **Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions**.

² Travel medicine is a specialist area that is outside the scope of this Order.

4. Supply and premises restrictions

The **authorised vaccination activities** for the **2022 influenza vaccine** as detailed in subclauses 2(a)(i)–(ii) of this Order must take place at premises designated for vaccination service provision by a public hospital as defined in section 3 of the **Health Services Act 1988** (whether located on the premises of the public hospital or elsewhere) authorised to obtain, possess and/or sell or supply the **2022 influenza 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**;

authorised persons has the meaning in Clause 1;

authorised vaccination activities means the activities detailed in subclauses 2(a)(i)–(ii);

2022 influenza vaccine means presentations and compositions of any 2022 influenza vaccine registered and available for use in Australia;

Influenza vaccine administration: Information for vaccination service providers and emergency authorised workforces has the meaning in Clause 1(a);

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**;

Victorian Limited Scope [COVID-19] Vaccinator Position Descriptions 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 three months, unless revoked earlier.

Dated 9 June 2022

PROFESSOR EUAN WALLACE
Secretary to the Department of Health

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