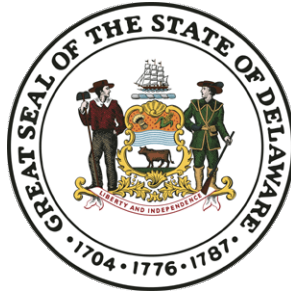State of Delaware

Executive Department
Dover

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

WHEREAS, on March 1, 2022, the Governor of Delaware proclaimed a Public Health

Emergency that took effect on March 1, 2022 at 6:00 p.m. E.S.T; and

WHEREAS, under Title 20, Chapter 31, the Director of the Division of Public Health is

authorized to appoint and prescribe the duties of health care providers; 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.

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 March 1, 2022 at 6:00 p.m. E.S.T., and shall remain in effect until further notice but not later than such time as the Governor's Declaration of Public Health Emergency is lifted:

1.   In addition to those professionals permitted by Delaware law, the following groups of individuals are also authorized to administer a seasonal influenza vaccination to persons 19 years and older, pursuant to 20 *Del. C.* § 3137, and subject to the terms of this Order:

a.   Qualified pharmacy technicians who are registered with the Division of Professional Regulation and who administer only under the direct, on-site, supervision of a Delaware licensed pharmacist.

2.   The seasonal influenza vaccine administered by qualified pharmacy technicians must be that which the Advisory Committee on Immunization Practices ("ACIP") recommends to persons aged 19 and older, must only be ordered and administered according to ACIP's standard immunization schedule, and must only be administered to patients 19 years and older.

3.   All vaccines must be authorized, approved, or licensed by the FDA.

4.   When supervising pharmacy technicians, the supervising pharmacist must be readily and immediately available to the immunizing qualified pharmacy technician.

5.   The licensed pharmacist must have completed the immunization training that the state of Delaware requires for pharmacists to order and administer vaccines.

6.   The qualified pharmacy technician must have completed a practical training program that is approved by the ACPE. This training program must include hands-on injection technique, clinical evaluation of indications and contraindications of vaccines, and the recognition and treatment of emergency reactions to vaccines.

7.   The licensed pharmacist and qualified pharmacy technician must have a current

certificate in basic cardiopulmonary resuscitation.

8.   The licensed pharmacist must have completed a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education no later than two years ago.

9.   The licensed pharmacist must comply with all recordkeeping and reporting requirements, including informing the patient's primary-care provider when available, submitting the required immunization information to the State immunization information system, complying with requirements with respect to reporting adverse events, and complying with requirements whereby the person administering a vaccine must review the vaccine registry or other vaccination records prior to administering a vaccine;

10.   Any qualified person appointed and administering vaccinations pursuant to this Order shall be considered a public employee under Sections 4001 & 4002 of Title 10.

APPROVED this 1st day of March 2022 at 4:30 p.m. E.S.T.

DELAWARE DIVISION OF PUBLIC HEALTH

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

DELAWARE EMERGENCY MANAGEMENT AGENCY

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A.J. Schall, Director