

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the **Healthiest State** in the Nation

February 16, 2021

VIA U.S. MAIL & EMAIL: Ernest.Reddick@DOS.MyFlorida.com; anya.grosenbaugh@DOS.MyFlorida.com

Mr. Ernest L. Reddick, Program Administrator
BUREAU OF ADMINISTRATIVE CODE
Florida Department of State – The Capitol
500 S. Bronough Street, Room 701
Tallahassee, FL 32399

**Re: Dept. of Health: Emergency Preparedness and Community Support
Rule 64JER21-1, F.A.C. – (Emergency) Rule Adoption Package**

Dear Mr. Reddick:

Enclosed are the **original and one (1) copy** of the rule adoption package in anticipation of adoption of the above-referenced EMERGENCY rule(s). Each package includes the following documents:

1. Certification of the Department of Health Emergency Rule Filed with the Department of State;
2. Designation of Rule the Violation of Which is a Minor Violation Certification;
3. Statement of Facts, etc.;
4. Proposed rule text (double-spaced).

The proposed rule text was provided in Microsoft Word format via email. Should you have any questions regarding the enclosures, Lori Jobe is the attorney handling this rule promulgation and can be contacted directly at 245-4685 <mailto:Linda.McMullen@flhealth.gov>, or the mailing address below; also, my direct line is 617-1422.

If you deem this rule adoption package to be in order, please send your approval email to the handling attorney and me at Deann.Peltz@flhealth.gov. Thank you for your attention to this matter.

Sincerely,

Deann L. Peltz
Senior Legal Assistant

/dlp

Enclosures

cc: Amanda G. Bush, Chief Legal Counsel (w/o encs.)
Lori L. Jobe, Assistant General Counsel (w/o encs.)

CERTIFICATION OF THE DEPARTMENT OF HEALTH

EMERGENCY RULE FILED WITH THE DEPARTMENT OF STATE

I hereby certify that an immediate danger to the public health, safety or welfare requires emergency action and that the attached rule is necessitated by the immediate danger. I further certify that the procedures used in the promulgation of this emergency rule were fair under the circumstances and that the rule otherwise complies with Section 120.54(4), F.S. The adoption of this rule was authorized by the head of the agency and this rule is hereby adopted upon its filing with the Department of State.

Rule No. 64JER21-1

Under the provision of Section 120.54(4)(d), F.S., this rule takes effect upon filing unless a later time and date less than 20 days from filing, is set out below:

Effective Date: _____
(month) (day) (year)



Scott A. Rivkees, MD
State Surgeon General, Department of Health

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Number of Pages Certified

CERTIFICATION OF DEPARTMENT OF HEALTH
DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

Rules covered by this certification:

Rule No(s).: 64JER21-1



SCOTT A. RIVKEES, MD
State Surgeon General, Florida Department of
Health

Department of Health, Emergency Rule 64JER21-1

Paramedic and Emergency Medical Technician Administration of COVID-19 Vaccines

STATEMENT OF FACTS AND REASONS FOR FINDING IMMEDIATE DANGER

Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza. COVID-19 is a communicable disease with significant morbidity and mortality. The Surgeon General has declared a statewide Public Health Emergency due to the spread of COVID-19. As a result, it presents an immediate, severe danger to public health that warrants an accelerated effort to administer COVID-19 vaccine using all available resources, including paramedics and emergency medical technicians.

STATEMENT OF REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES

COVID-19 presents a public health threat to the state of Florida. There is an immediate need to set forth procedures for the control of this communicable disease in the State of Florida; specifically, to facilitate the widespread administration of the COVID-19 vaccine. Adoption of an emergency rule that permits certified paramedics and emergency medical technicians to administer COVID-19 vaccine under appropriate medical direction at State-operated vaccination sites is fair under the current circumstances, which require immediate action to address the Public Health Emergency.

64JER21-1 Paramedic and Emergency Medical Technician Administration of COVID-19 Vaccines

(1) As used in this Rule:

(a) “Medical Direction” means oral instruction either in person or through remote two-way voice communication, and written instruction by standing order, of a licensed physician.

(b) “Supervise” or “Supervision” means the inspection, oversight, and direction of the administration of COVID-19 vaccine.

(c) “COVID-19 vaccine” means a qualified product that limits the harm COVID-19 might otherwise cause, as defined by 42 U.S.C. 247d-6d(i)(1)(A).

(d) “COVID-19 vaccine administration training” means the training developed by the Department of Health, Bureau of Emergency Medical Oversight, or training that requires completion of the Centers for Disease Control and Prevention (CDC) COVID-19 Vaccine Training Modules followed by an observation period by a currently practicing healthcare professional who holds an active license or certification permitting the professional to administer vaccines who confirms competency in the administration of the COVID-19 vaccine.

(2) A paramedic or emergency medical technician (EMT) certified in Florida may be employed by or enter into a written agreement with the Florida Department of Health, the Florida Division of Emergency Management, the contracted health care service provider(s) of either of these agencies, or an emergency medical services (EMS) provider licensed in Florida, to administer COVID-19 vaccine in a non-emergency environment as provided by this Rule.

(3) A paramedic acting under medical direction may constitute, draw, and administer COVID-19 vaccine.

(4) A paramedic acting under medical direction may supervise an EMT in the intramuscular administration of COVID-19 vaccine.

(5) An EMT acting under medical direction and acting under the supervision of a paramedic or other health care practitioner authorized by law, may only administer COVID-19 vaccines intramuscularly. An EMT may not determine whether administration of COVID-19 vaccine is medically appropriate, constitute COVID-19 vaccine, or draw COVID-19 vaccine.

(6) Paramedics and EMTs must assure themselves that monitoring and aftercare are available for vaccine recipients prior to administering COVID-19 vaccine and must comply with established protocols when administering COVID-19 vaccine.

(7) Paramedics and EMTs who are employed by or enter into a written agreement with the Florida Department of Health, the Florida Division of Emergency Management, or the contracted health care service provider(s) of either of these agencies must complete COVID-19 vaccine administration training provided by the Department of Health, Bureau of Emergency Medical Oversight.

(8) Paramedics and EMTs who are employed by licensed EMS providers must complete COVID-19 vaccine administration training provided by the EMS provider.

(9) Paramedics and EMTs must obtain written documentation of their successful completion of COVID-19 vaccine administration training prior to handling COVID-19 vaccine or COVID-19 vaccine supplies and must present documentation of their successful completion of the training upon request of the department.

(10) Paramedics and EMTs employed by the United States or its personnel, contractors, or volunteers are not precluded from administering COVID-19 vaccines at sites operated by the United States as permitted under the Public Readiness and Emergency Preparedness (PREP) Act, 42 U.S.C. § 247d-6d, and its implementing secretarial Declarations and are otherwise exempt from this Rule.

Rulemaking Authority 401.35, FS. Law Implemented 401.27, FS. History-New _____.