Australian Capital Territory

Medicines, Poisons and Therapeutic Goods (COVID-19 Vaccine Administration) Approval 2021 (No 2)

**Notifiable instrument NI2021–569**

made under the

Medicines, Poisons and Therapeutic Goods Regulation 2008, section 491 (Authorisation for dealing with COVID vaccine during public health emergency—Act, s 20 (1) (c))

**1 Name of instrument**

This instrument is the *Medicines, Poisons and Therapeutic Goods (COVID-19 Vaccine Administration) Approval 2021 (No 2)*.

**2 Commencement**

This instrument commences on the day after its notification day.

**3 Revocation**

This instrument revokes the *Medicines, Poisons and Therapeutic Goods COVID-19 Vaccine Administration) Approval 2021 (No 1)* [NI2021-506]

**4 Definitions**

In this approval:

***administer***, a COVID-19 vaccine, includes preparing to administer the vaccine.

Example—preparing to administer a COVID-19 vaccine

drawing up a dose of a COVID-19 vaccine into a syringe

***approved program of study***, for a health profession or for endorsement of registration in a health profession—see the Health Practitioner Regulation National Law (ACT), section 5.

***COVID-19 vaccination clinic*** means a vaccination clinic operated by the Territory for the purpose of administering COVID-19 vaccinations.

***defence medical technician*** means a member of the Australian Defence Force who—

has completed training known as the Australian Defence Force medic course; and

is registered as an enrolled nurse with the Nursing and Midwifery Board of Australia.

***dentist***means a person holding general or specialist registration under the [Health Practitioner Regulation National Law (ACT)](http://www.legislation.act.gov.au/a/db_39269/default.asp) to practise the health profession of dentistry.

***dental hygienist*** means a person holding general registration under the [Health Practitioner Regulation National Law (ACT)](http://www.legislation.act.gov.au/a/db_39269/default.asp) to practise the health profession of dental hygienist.

***dental therapist*** means a person holding general registration under the Health Practitioner Regulation National Law (ACT) to practise the health profession of dental therapist.

***direct supervision***, of a person mentioned in schedule 1, means the oversight by a person mentioned in section 4 (1) (b) (ii) of the work of the work of that person for the purposes of—

directing, demonstrating, monitoring and checking the person’s work in a way that is appropriate to the person’s level of competency; and

ensuring the person’s capacity to respond in an emergency situation.

***enrolled nurse*** means an enrolled nurse whose registration is endorsed under the Health Practitioner Regulation National Law (ACT), section 94 (Endorsement for scheduled medicines) to administer a schedule 4 medicine.

*Note 1* ***Enrolled nurse***—see Legislation Act, dictionary, pt 1.

*Note 2* A health practitioner whose registration is endorsed under the Health Practitioner Regulation National Law (ACT), s 94 is authorised to deal with a medicine in accordance with the endorsement (see the *Medicines, Poisons and Therapeutic Goods Regulation 2008*, s 490).

***health profession***—see the Health Practitioner Regulation National Law (ACT), section 5.

***oral health therapist*** means a person holding general registration under the [Health Practitioner Regulation National Law (ACT)](http://www.legislation.act.gov.au/a/db_39269/default.asp) to practise the health profession of oral health therapist.

***podiatrist*** means a person holding general registration under the Health Practitioner Regulation National Law (ACT) to practise the health profession of podiatry.

***student***—see the Health Practitioner Regulation National Law (ACT), section 5.

***student doctor*** means a person who –

is entered on the student register in an approved program under the Health Practitioner Regulation National Law (ACT) for the medical profession for the purpose of becoming a registered medical practitioner; and

has completed at least their first year of full-time study (or part time equivalent); and

has provided evidence of successful completion of the subject requirements for pharmacology and undertaken at least one clinical placement in a hospital setting or has had clinical exposure to patients.

***student midwife*** means a person who—

is entered on the student register for the midwifery profession in an approved program under the Health Practitioner Regulation National Law (ACT); and

has completed their second or later year of full-time study (or part time equivalent); and

has provided evidence of successful completion of the subject requirements for pharmacology and undertaken at least one clinical placement in a hospital setting.

***student nurse*** means a person who—

is entered on the student register in an approved program under the Health Practitioner Regulation National Law (ACT) for the nursing profession for the purpose of becoming a registered nurse; and

has completed their second or later year of full-time study (or part time equivalent); and

has provided evidence of successful completion of the subject requirements for pharmacology and undertaken at least one clinical placement in a hospital setting.

***student paramedic*** means a person who—

is entered on the student register in an approved program under the Health Practitioner Regulation National Law (ACT) for the paramedicine profession for the purpose of becoming a registered paramedic; and

has completed their second or later year of full-time study (or part time equivalent); and

has provided evidence of successful completion of the subject requirements for pharmacology and undertaken at least one clinical placement in a hospital or ambulance setting.

***student pharmacist*** means a person who—

is entered on the student register in an approved program under the Health Practitioner Regulation National Law (ACT) for the pharmacy profession for the purpose of becoming a registered pharmacist; and

is completing their penultimate or final year of full-time study (or part time equivalent); and

has provided evidence of successful completion of the subject requirements for a unit of pharmacology; and

has completed training in vaccine administration and has been assessed as competent to administer an intramuscular injection.

***Health profession***—see the Health Practitioner Regulation National Law (ACT), section 5.

***student***—see the Health Practitioner Regulation National Law (ACT), section 5.

***student register***, for a health profession—see the Health Practitioner Regulation National Law (ACT), section 5.

**5 Dealing with COVID-19 vaccine—approval**

(1) I approve a person mentioned in an item in schedule 1, column 2 to deal with a COVID-19 vaccine in the way stated in column 3 of the item, subject to the following conditions —

 (a) that the person hold the following:

* 1. if the person is administering a COVID-19 vaccine by injection–a current anaphylaxis certificate;
	2. if the person is administering a COVID-19 vaccine by injection -a current cardiopulmonary resuscitation certificate; and
	3. evidence of successful completion of the COVID-19 vaccination training program provided by the Commonwealth Department of Health;

 (b) that the person deals with a COVID-19 vaccine—

 (i) only at a COVID-19 vaccination clinic; and

 (ii) only under the supervision of a health practitioner authorised under the Regulation, section 350, section 352 (1) or section 353 (1) to administer a COVID-19 vaccine;

 (c) a condition mentioned in schedule 1, column 4 of the item.

 (2) To remove any doubt, nothing in this approval affects a person’s obligations under the Health Practitioner Regulation National Law (ACT), including any instrument made under that Law.

Examples—instruments under the Health Practitioner Regulation National Law (ACT)

* Decision making Framework for Nursing and Midwifery
* Supervision Guidelines for Nursing and Midwifery

 (3) In subsection (1) (b) (ii), a reference to ***health practitioner*** does not include a reference to an intern pharmacist or an enrolled nurse.

 (4) In this section:

***current anaphylaxis certificate*** means a certificate for successful completion of the Australasian Society of Clinical Immunology and Allergy (ASCIA) anaphylaxis e-training for health professionals or equivalent.

Dr Kerryn Coleman

Chief Health Officer

10 September 2021

Schedule 1 People approved to deal with COVID-19 vaccine

(see s 4)

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| --- | --- | --- | --- |
| column 1item | column 2person approved | column 3dealing approved | column 4 Additional condition  |
| 1 | Defence medical technician | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 2 | Dentist | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 3 | Dental hygienist  | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 4 | Dental therapist  | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 5 | Enrolled nurse | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 6 | Oral health therapist | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 7 | Podiatrist | administer, obtain, possess, or supply a COVID-19 vaccine |  |
| 8 | Student doctor  | administer, obtain, possess, or supply a COVID-19 vaccine | May only administer a COVID-19 vaccine to a patient aged 12 years or older.Only under direct supervision |
| 9 | Student midwife | administer, obtain, possess, or supply a COVID-19 vaccine | May only administer a COVID-19 vaccine to a patient aged 12 years or older.Only under direct supervision |
| 10 | Student nurse  | administer, obtain, possess, or supply a COVID-19 vaccine | May only administer a COVID-19 vaccine to a patient aged 12 years or older.Only under direct supervision |
| 11 | Student paramedic  | administer, obtain, possess, or supply a COVID-19 vaccine | May only administer a COVID-19 vaccine to a patient aged 12 years or older.Only under direct supervision |
| 12 | Student pharmacist  | administer, obtain, possess, or supply a COVID-19 vaccine | May only administer a COVID-19 vaccine to a patient aged 12 years or older.Only under direct supervision |