

# 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))

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## 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—

- (a) has completed training known as the Australian Defence Force medic course; and
- (b) 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) to practise the health profession of dentistry.

***dental hygienist*** means a person holding general registration under the Health Practitioner Regulation National Law (ACT) 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 that person for the purposes of—

- (a) directing, demonstrating, monitoring and checking the person's work in a way that is appropriate to the person's level of competency; and
- (b) 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) 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 —

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

- (a) is entered on the student register for the midwifery profession in an approved program under the Health Practitioner Regulation National Law (ACT); and
- (b) has completed their second or later year of full-time study (or part time equivalent); and
- (c) 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—

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

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

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

- (c) has provided evidence of successful completion of the subject requirements for a unit of pharmacology; and
- (d) 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:
    - (i) if the person is administering a COVID-19 vaccine by injection—a current anaphylaxis certificate;
    - (ii) if the person is administering a COVID-19 vaccine by injection -a current cardiopulmonary resuscitation certificate; and
    - (iii) 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)

<b>column 1</b> item	<b>column 2</b> person approved	<b>column 3</b> dealing approved	<b>column 4</b> 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