

Statement on Immunization Services Under DHHS Guidance

On March 11, 2021, U.S. Department of Health & Human Services (DHHS) issued the seventh amendment to the declaration under the Public Readiness and Emergency Preparedness Act (or PREP Act). This amendment added to section V of the declaration, additional categories of qualified persons (Covered Persons) covered under the act to administer FDA authorized or approved COVID-19 vaccines as Covered Countermeasures, and to extend to these Covered Persons, PREP Act immunity. The amendment specifically authorizes qualified dentists to administer FDA authorized or approved COVID-19 vaccines and provides liability protection under the PREP Act. The DHHS amendment and related guidance lists requirements that dentists must satisfy.

The amended declaration states that the authorization preempts any state and local law that prohibits or effectively prohibits those who satisfy requirements as set forth in the declaration from administering COVID-19.

On March 22, 2021, the Oregon Health Authority (OHA) as an Authority Having Jurisdiction under the PREP Act, also issued an Authorization that expanded the list of vaccinators. That Authorization does not change the requirements for dentists currently licensed in Oregon. Dental Hygienists were specifically added to the list of vaccinators by the OHA.

The Oregon Board of Dentistry will not take disciplinary action against persons who act in accordance with the DHHS PREP Act amendment and the OHA Authorization based on the PREP Act provision that state law is preempted if those laws prohibit or effectively prohibit a qualified person from administering a COVID-19 vaccine. If a complaint is received relating to activities covered under DHHS amendment or the OHA Authorization, the Board will expect the licensee or person to provide documentation of full compliance. Failure to do so may result in disciplinary action.

Dentists:

1. If dentists are currently licensed, they are required to comply with all vaccination training requirements under OAR 818-012-0006 and OAR 818-012-0007.
2. If a dentist is not currently licensed, or an individual is a dental student, they must:
 - a. Have documentation of completion of the Centers for Disease Control and Prevention (CDC) COVID-19 Vaccine Training (<https://www.cdc.gov/vaccines/covid-19/training.html>) or a similar training offered by an educational institution or health system.
 - b. Have documentation of an observation period by a currently practicing health care professional experienced in administering intramuscular injections where the individual's competence as a vaccinator is confirmed.
 - c. Have current certification in basic CPR.
3. An individual who is not currently licensed, but who was licensed as a dentist in Oregon within the last 5 years, must have been in good standing with the Board at the time the license expired or was surrendered.
4. A dentist not currently licensed, or a dental student, may only administer vaccinations at a location that has a currently practicing health care professional experienced in administering intramuscular injections on site who can monitor and provide supervision.

Dental Hygienists:

1. If not currently licensed, but licensed within the past five years, the individual was in good standing with the Board at the time the license expired or was otherwise surrendered.
2. If currently licensed, is in good standing with the Board.
3. If not currently licensed, if vaccination is not currently within an individual's scope of practice, or an individual is a health care student, has documentation of completion of the Centers for Disease Control and Prevention (CDC) COVID-19 Vaccine Training (<https://www.cdc.gov/vaccines/covid-19/training.html>) or a similar training offered by an educational institution or health system.
4. For individuals who do not vaccinate as part of their health care practice or are healthcare students, has documentation of an observation period by a currently practicing health care professional experienced in administering intramuscular injections where the individual demonstrates the skills necessary to administer vaccinations.
5. For individuals who are not currently licensed health professionals or are health care students, has current certification in basic cardiopulmonary resuscitation (CPR).
6. Health care students and individuals who do not vaccinate as part of their health care practice, including those who are not currently licensed, certified, or registered health professionals, may only vaccinate at a location that has currently practicing health care professional experienced in administering intramuscular injections on site to provide monitoring and supervision.