



Victoria Government Gazette

No. S 476 Wednesday 1 September 2021
By Authority of Victorian Government Printer

Corrigendum

The following notice replaces the notice S 476 published on Wednesday 1 September 2021. The words on page 3 and page 7 'Dated 20 August 2021' are amended to 'Dated 30 August 2021'.

Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

Authorisation for preparation and administration – COVID-19 VACCINE (surge workforce)

I, Professor Euan Wallace, Secretary to the Department of Health, pursuant to section 22D of the **Act**, make this **Public Health Emergency Order** (PHEO #14) in the belief that it is necessary to do so to prevent, or respond to, a serious risk to public health posed to the State of Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).

The purpose of this Order is to address the public health emergency posed by the ongoing global **SARS-CoV-2** (COVID-19) pandemic, which is currently affecting the State of Victoria.

In furtherance of that purpose, this Order is intended to facilitate the **SARS-CoV-2** (COVID-19) vaccine program, by authorising classes of persons to obtain, possess and use (including to administer), any **SARS-CoV-2** (COVID-19) vaccine approved by the **TGA (COVID-19 VACCINE)** under the conditions outlined in this Order.

All **authorised persons**, irrespective of their status under the **Act** and the **Regulations**, are to adhere to the conditions of this Order prior to obtaining and possessing, and/or using **COVID-19 VACCINE**.

1. Authorisation

By this Order, I authorise the following classes of persons (**authorised persons**) to undertake **authorised vaccination activities** in relation to the **COVID-19 VACCINE**:

- (a) dentists registered under the **Health Practitioner Regulation National Law**, to practice in the dentistry profession; and
- (b) dental practitioners registered under the **Health Practitioner Regulation National Law**, to practice in the dental therapy, dental hygiene and/or oral health therapy professions; and
- (c) physiotherapists registered under the **Health Practitioner Regulation National Law**, to practice in the physiotherapy profession; and
- (d) occupational therapists registered under the **Health Practitioner Regulation National Law**, to practice in the occupational therapy profession; and
- (e) podiatrists registered under the **Health Practitioner Regulation National Law**, to practice in the podiatry profession; and
- (f) optometrists registered under the **Health Practitioner Regulation National Law**, to practice in the optometry profession; and
- (g) medical radiation practitioners who are registered under the **Health Practitioner Regulation National Law** and who hold the protected titles of medical radiation practitioner, diagnostic radiographer, medical imaging technologist, radiographer, nuclear medicine scientist, nuclear medicine technologist and/or radiation therapist; and
- (h) pharmacists registered under the **Health Practitioner Regulation National Law**, to practice in the pharmacy profession; and
- (i) intern pharmacists provisionally registered with **Ahpra**; and
- (j) speech pathologists and dietitians who are eligible for registration or membership of the Australian industry or relevant professional association (as applicable), to practice in the speech pathology and/or dietetic professions; and

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- (k) orthoptists who are registered with the Australian Orthoptic Board, as required under the **Regulations**; and
- (l) orthotists and prosthetists who are eligible for membership of the relevant Australian industry or professional association (as applicable), to practice in the orthotic and prosthetics professions; and
- (m) pathology collectors, having successfully completed as a minimum certification a Certificate III in Pathology Collection; and
- (n) medical laboratory scientists and medical laboratory technicians; and
- (o) researchers or scientists with relevant biomedical laboratory and/or research experience in using aseptic techniques within the last ten years; and
- (p) medical laboratory science students, having successfully completed all units of study from the third year of a Bachelor of Biomedical Science (Laboratory Medicine); and
- (q) dental assistants, having successfully completed as a minimum certification a Certificate III in Dental Assisting.

2. Activities authorised

- (a) The table at Schedule A details the activities that each class of **authorised persons** may perform in relation to delivery of **COVID-19 VACCINE**.
- (b) Where a class of person is authorised to possess and use (including to administer) the **COVID-19 VACCINE**, each person within that class of **authorised persons** must ensure that they comply with the following when they do so:
 - i. the Victorian COVID-19 Vaccination Guidelines (current at the time of administering the **COVID-19 VACCINE**); and
 - ii. the Australian Immunisation Handbook (current at the time of administering the **COVID-19 VACCINE**); and
 - iii. the National Vaccine Storage Guidelines: Strive for 5 (current at the time of administering the **COVID-19 VACCINE**); and
 - iv. any guidelines issued by the Department of Health or the Government of Australia in relation to any **COVID-19 VACCINE** (current at the time of administering the **COVID-19 VACCINE**).
- (c) An approved **COVID-19 VACCINE** must only be used for persons indicated by the **TGA** to receive the vaccine.
- (d) The authorisations granted in clauses 1 and 2 are subject to the conditions detailed in clauses 3 and 4.

3. Training and supervision requirements

- (a) The authorisation to undertake **authorised vaccination activities** is contingent upon:
 - i. completion of the **training requirements**; and
 - ii. satisfaction of the supervision requirements contained in the Victorian COVID-19 Vaccination Guidelines as updated from time to time.
- (b) It is the responsibility of persons authorised under clause 1 to undertake **authorised vaccination activities** to:
 - i. be aware of the most up-to-date training and supervision arrangements that apply to them by regularly checking the Victorian COVID-19 Vaccination Guidelines; and
 - ii. undertake the **authorised vaccination activities** only if their training and supervision arrangements are met.

4. Supply and premises restrictions

The **authorised vaccination activities** of **COVID-19 VACCINE** as detailed in Schedule A must take place at premises designated for vaccination service provision by organisations or

individuals authorised to obtain, possess, sell or supply the vaccine pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order** or any other premises as authorised by the Department of Health from time to time.

5. Definitions and interpretation

Act means the *Drugs, Poisons and Controlled Substances Act 1981* (Vic.);

Ahpra means the Australian Health Practitioner Regulation Agency;

authorised persons has the meaning in clause 1;

authorised vaccination activities means the activities detailed in Schedule A;

Health Practitioner Regulation National Law means the *Health Practitioner Regulation National Law Act 2009* (Vic.) as amended or replaced from time to time;

Public Health Emergency Order means an order made under section 22D of the **Act** (including an order extended, amended or varied under section 22G of the **Act**);

Regulations means the *Drugs, Poisons and Controlled Substances Regulations 2017* (Vic.);

TGA means the Therapeutic Goods Administration, Australia;

training requirements means completion of the following programs:

- (a) Victorian COVID-19 eLearning Competency Training package; and
- (b) Commonwealth COVID-19 Vaccination Training program; and
- (c) Victorian COVID-19 Clinical Skills and Competencies Training certificate; and
- (d) Any additional training and competency requirements contained in the Victorian COVID-19 Vaccination Guidelines;

The word ‘including’ in this Order is not a word of limitation.

This Order comes into force on the date of publication in the Government Gazette and continues in force for a period of six months, unless revoked earlier.

Dated 30 August 2021

PROFESSOR EUAN WALLACE
Secretary to the Department of Health

SCHEDULE A – AUTHORISED SARS-CoV-2 VACCINATION ACTIVITIES

Authorised persons	Authorised vaccination activities
Dentists; Dental practitioners; Physiotherapists; Occupational therapists; Podiatrists; Optometrists; Medical radiation practitioners; Pharmacists; Intern pharmacists; Orthoptists; Speech pathologists; Dietitians; Orthotists; Prosthetists; Pathology collectors	(a) possess or obtain COVID-19 VACCINE from an organisation authorised to obtain, possess, sell or supply the vaccine pursuant to the Act or Regulations or a Public Health Emergency Order ; and (b) reconstitute COVID-19 VACCINE in accordance with the manufacturer's instructions and transfer to a single-use syringe; and (c) label the syringe for administration (where the product is not labelled when delivered); and (d) administer the COVID-19 VACCINE that has been reconstituted in accordance with the manufacturer's instructions and transferred to a single-use syringe, to persons approved by the TGA as eligible to receive the vaccine.
Medical laboratory scientists; Medical laboratory technicians; Researchers and scientists in accordance with clause 1(o); Medical laboratory science students; Dental assistants	(a) possess or obtain COVID-19 VACCINE from an organisation authorised to obtain, possess, sell or supply the vaccine pursuant to the Act or Regulations or a Public Health Emergency Order ; and (b) reconstitute COVID-19 VACCINE in accordance with the manufacturer's instructions and transfer to a single-use syringe; and (c) label the syringe for administration (where the product is not labelled when delivered).

Drugs, Poisons and Controlled Substances Act 1981**PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D**

Authorisation for administration – COVID-19 VACCINE (surge students)

I, Professor Euan Wallace, Secretary to the Department of Health, pursuant to section 22D of the **Act**, make this **Public Health Emergency Order** (PHEO #15) in the belief that it is necessary to do so to prevent, or respond to, a serious risk to public health posed to the State of Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).

The purpose of this Order is to address the public health emergency posed by the ongoing global **SARS-CoV-2** (COVID-19) pandemic, which is currently affecting the State of Victoria.

In furtherance of that purpose, this Order is intended to facilitate the **SARS-CoV-2** (COVID-19) vaccine program, by authorising classes of persons to obtain, possess and use (including to administer), any **SARS-CoV-2** (COVID-19) vaccine approved by the **TGA** (**COVID-19 VACCINE**) under the conditions outlined in this Order.

All **authorised persons**, irrespective of their status under the **Act** and the **Regulations**, are to adhere to the conditions of this Order prior to obtaining and possessing, and/or using **COVID-19 VACCINE**.

1. Authorisation

By this Order, I authorise the following classes of persons (**authorised persons**) to undertake **authorised vaccination activities** in relation to the **COVID-19 VACCINE**:

- (a) tertiary students who are training and/or studying in the fields of:
 - i. dentistry, having successfully completed all units of study from the third year of a Bachelor's program or the second year of a Master's program leading to initial registration with **Ahpra** as a dentist; and
 - ii. oral health, having successfully completed all units of study from the second year of a Bachelor's program leading to initial registration with **Ahpra** as an oral health professional (oral health therapist, dental hygienist or dental therapist); and
 - iii. physiotherapy, having successfully completed all units of study from the third year of a Bachelor's program or the first year of a Master's or post-graduate entry program leading to initial registration with **Ahpra** as a physiotherapist; and
 - iv. occupational therapy, having successfully completed all units of study from the third year of a Bachelor's program or the first year of a Master's or post-graduate entry program leading to initial registration with **Ahpra** as an occupational therapist; and
 - v. podiatry, having successfully completed all units of study from the third year of a Bachelor's program leading to initial registration with **Ahpra** as a podiatrist; and
 - vi. pharmacy, having successfully completed all units of study from the third year of a Bachelor's program leading to provisional registration with **Ahpra** as a pharmacist intern; and
 - vii. nursing or midwifery, having successfully completed all units of study from the first year of a Bachelor's program leading to initial registration with **Ahpra** as a nurse and/or a midwife; and
 - viii. paramedicine, having successfully completed all units of study from the first year of a Bachelor's program leading to initial registration with **Ahpra** as a paramedic.
- (b) intern pharmacists, provisionally registered with **Ahpra**.

2. Activities authorised

- (a) The **authorised persons** may undertake the following **authorised vaccination activities**:
- i. possess or obtain a vaccine from an organisation authorised to obtain, possess or supply the vaccine pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order**; and
 - ii. reconstitute **COVID-19 VACCINE** in accordance with the manufacturer's instructions and transfer to a single-use syringe; and
 - iii. label the syringe for administration (where the product is not labelled when delivered); and
 - iv. administer **COVID-19 VACCINE** that has been reconstituted in accordance with the manufacturer's instructions and transferred to a single-use syringe, to persons approved by the **TGA** as eligible to receive the vaccine.
- (b) Where a class of person is authorised to possess and use (including to administer) the **COVID-19 VACCINE**, each person within that class of **authorised persons** must ensure that they comply with the following when they do so:
- i. the Victorian COVID-19 Vaccination Guidelines (current at the time of administering the **COVID-19 VACCINE**); and
 - ii. the Australian Immunisation Handbook (current at the time of administering the **COVID-19 VACCINE**); and
 - iii. the National Vaccine Storage Guidelines: Strive for 5 (current at the time of administering the **COVID-19 VACCINE**); and
 - iv. any guidelines issued by the Department of Health or the Government of Australia in relation to any **COVID-19 VACCINE** approved by the **TGA** (current at the time of administering the **COVID-19 VACCINE**).
- (c) An approved **COVID-19 VACCINE** must only be used for persons indicated by the **TGA** to receive the vaccine.
- (d) The authorisations granted in clauses 1 and 2 are subject to the conditions detailed in clauses 3 and 4.

3. Training and supervision requirements

- (a) The authorisation to undertake **authorised vaccination activities** is contingent upon:
- i. completion of the **training requirements**; and
 - ii. satisfaction of the supervision requirements contained in the Victorian COVID-19 Vaccination Guidelines as updated from time to time.
- (b) It is the responsibility of persons authorised under clause 1 to undertake **authorised vaccination activities** to:
- i. be aware of the most up-to-date training and supervision arrangements that apply to them by regularly checking the Victorian COVID-19 Vaccination Guidelines; and
 - ii. undertake the **authorised vaccination activities** only if their training and supervision arrangements are met.

4. Supply and premises restrictions

The **authorised vaccination activities** of **COVID-19 VACCINE** as detailed in subclauses 2(a)(i) – (iv) of this Order must take place at premises designated for vaccination service provision by organisations or individuals authorised to obtain, possess, sell or supply **COVID-19 VACCINE** pursuant to the **Act** or **Regulations** or a **Public Health Emergency Order** or any other premises as authorised by the Department of Health from time to time.

5. Definitions and interpretation

Act means the *Drugs, Poisons and Controlled Substances Act 1981* (Vic.);

Ahpra means the Australian Health Practitioner Regulation Agency;

authorised persons has the meaning in clause 1;

authorised vaccination activities means the activities detailed in clauses 2(a)(i)–(iv);

Public Health Emergency Order means an order made under section 22D of the **Act** (including an order extended, amended or varied under section 22G of the **Act**);

Regulations means the *Drugs, Poisons and Controlled Substances Regulations 2017* (Vic.);

TGA means the Therapeutic Goods Administration, Australia;

training requirements means completion of the following programs:

- (a) Victorian COVID-19 eLearning Competency Training package; and
- (b) Commonwealth COVID-19 Vaccination Training program; and
- (c) Victorian COVID-19 Clinical Skills and Competencies Training certificate; and
- (d) Any additional training and competency requirements contained in the Victorian COVID-19 Vaccination Guidelines;

The word ‘including’ in this Order is not a word of limitation.

This Order comes into force on the date of publication in the Government Gazette and continues in force for a period of six months, unless revoked earlier.

Dated 30 August 2021

PROFESSOR EUAN WALLACE
Secretary to the Department of Health

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