

**NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS ORDER:
REQUIREMENTS FOR DENTISTS TO ADMINISTER COVID-19
VACCINATIONS DURING STATE OF EMERGENCY**

WHEREAS, COVID-19 is an infectious disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can be spread from person-to-person;

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19;

WHEREAS, on March 10, 2020, in Executive Order No. 116, North Carolina Governor Roy Cooper declared a state of emergency for the entire state of North Carolina based on the public health emergency posed by COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic;

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency;

WHEREAS, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the state of North Carolina;

WHEREAS, the North Carolina Department of Health and Human Services reports more than 865,000 confirmed cases and 11,000 deaths from COVID-19 spanning all 100 counties in North Carolina;

WHEREAS, The United States Food and Drug Administration (FDA) has authorized two vaccines for COVID-19, with one or more additional vaccinations expected to be authorized in the future;

WHEREAS, until enough North Carolinians are vaccinated, COVID-19 will continue to cause devastating illness and death;

WHEREAS, the North Carolina State Board of Dental Examiners (Board) is an agency of the State of North Carolina organized under Chapter 90 of the North Carolina General Statutes and is charged with the responsibility for licensing dentists and dental hygienists to practice in North Carolina and regulating such practice in the interests of the public health, safety, and welfare of the citizens of the State;

WHEREAS, the training for dentists licensed to practice in North Carolina generally entails injections, including the administration of medication to treat anaphylactic reactions;

WHEREAS, on May 4, 2020, Governor Cooper signed into law Session Law 2020-3 Senate Bill 704 (COVID-19 Relief Act);

WHEREAS, the COVID-19 Relief Act included a new provision of the Dental Practice Act (DPA) authorizing the Board to waive requirements under the DPA and Dental Hygiene Act (DHA) to permit the provision of dental and dental hygiene services to the public during a state of emergency, N.C. Gen. Stat. § 90-28.5, Disasters and Emergencies;

WHEREAS, the COVID-19 Relief Act also included Section 4.38 that authorizes and encourages state agencies, such as the Board, to modify educational or examination requirements implemented pursuant to its statutes if the agency determines that doing so is in the public interest due to the impacts of the coronavirus, including protecting the public health, safety, and welfare of the citizens of North Carolina;

WHEREAS, on February 9, 2021, in Executive Order No. 193, North Carolina Governor Roy Cooper found that there is a growing need for health care providers to administer the COVID-19 vaccines but that individuals with medical training are not authorized to do so because of requirements in licensing statutes and regulations;

WHEREAS, in Executive Order No. 193, Gov. Cooper delegated to professional health care licensure boards the authority to waive or modify enforcement of any legal or regulatory constraints that would prevent or impair, among other items: “Allowing dentists licensed in North Carolina to administer FDA-authorized COVID-19 vaccines and to administer, by injection, epinephrine or diphenhydramine for the treatment of a severe allergic reaction to a COVID-19 vaccine” and to impose conditions on any persons authorized to provide such vaccinations;

WHEREAS, in Executive Order No. 193, Gov. Cooper delegated to the Secretary of the North Carolina Department of Health and Human Services (NCDHHS), in consultation with the North Carolina Board of Dental Examiners and the North Carolina Medical Board, the authority to accomplish the above goal by waiving or modifying legal or regulatory constraints on the administration of the COVID-19 vaccines;

WHEREAS, the Secretary of DHHS, after consulting with the North Carolina Board of Dental Examiners and the North Carolina Medical Board through her representatives, issued Secretarial Order No. 8, which provides that licensed

dentists may both administer any COVID-19 vaccine authorized or approved by the FDA and administer epinephrine or diphenhydramine by injection for the treatment of a severe allergic reaction to a COVID-19 vaccine; and

WHEREAS, the Secretarial Order No. 8 waived any provisions of the Medical Practice Acts and North Carolina Administrative Code, to the extent they would inhibit dentists administering COVID-19 vaccinations and incorporated the below conditions and requirements for dentists to administer COVID-19 vaccinations, pursuant to Executive Order 193.

NOW, THEREFORE, it is **ORDERED** that:

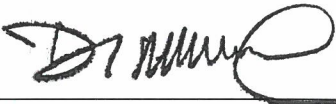
In the public interest due to the impacts of the coronavirus and as authorized by the above provisions of the recently enacted COVID-19 Relief Act and Executive Order No. 193, the Board adopts the following requirements for any dentists licensed in North Carolina to administer FDA-authorized COVID-19 vaccines:

1. Prior to administering any FDA-authorized COVID-19 vaccine, a dentist licensed in North Carolina shall successfully complete the COVID-19 training programs available through the Centers for Disease Control and Prevention available at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/training.html>, including:
 - a. “COVID-19 Vaccine Training: General Overview of Immunization Best Practices for Healthcare Providers”;
 - b. “What Every Clinician Should Know about COVID-19 Vaccine Safety”;
 - c. “COVID-19 Vaccines: General Information and Clinical Guidance Update”;
 - d. “COVID-19 Vaccines: Update on Allergic Reactions, Contraindications, and Precautions”;
 - e. “What Clinicians Need to Know About the Pfizer-BioNTech and Moderna COVID-19 Vaccines,” should be completed before administering either of these vaccines;
 - f. “Pfizer-BioNTech COVID-19 Vaccine: What Healthcare Professionals Need to Know,” should be completed before administering this vaccine;
 - g. “Moderna COVID-19 Vaccine: What Healthcare Professionals Need to Know,” should be completed before administering this vaccine; and
 - h. Training for any other FDA-authorized or approved COVID-19 vaccine(s), should be completed before administering any such vaccine(s).
2. The dentist administers any COVID-19 vaccine in accordance with any applicable FDA emergency use authorization.

3. Vaccinating dentist must comply with all applicable federal and state provider enrollment, data entry, and reporting requirements as part of COVID-19 vaccination, <https://www.cdc.gov/vaccines/covid-19/vaccination-provider-support.html>.
4. The dentist maintains a record of compliance with the above applicable requirements and provide any such record to the Board upon its request.
5. If administering the vaccine pursuant to a statewide standing order issued by the State Health Director, the dentist must comply with all requirements and conditions in the Standing Order, including having a medical provider accessible to provide medical supervision of the vaccination site or service, which may be telephone or virtual accessibility.
<https://files.nc.gov/covid/documents/guidance/vaccinations/Statewide-COVID-19-Vaccine-Standing-Order.pdf>
6. A dentist that administers or provides a COVID-19 vaccination in compliance with the requirements in this Order would not be considering to be practicing outside the scope of dentistry nor in violation of N.C. Gen. Stat. Chapter 90, Article 1, N.C. Gen. Stat. §§ 90-29, 90-41(a)(26) or 21 NCAC 16 V. .0101(27).

This the 3RD day of March 2021

North Carolina State Board of Dental Examiners

By:  _____

Millard W. Wester, III, DDS