AMENDED

January 27, 2021

**H. 3602**

Introduced by Reps. W. Cox, Elliott, B. Cox, Hyde, Ligon, Collins, West, Gilliard, T. Moore, Gilliam, Yow, Bradley, Gagnon, Burns, Chumley, Haddon, Govan, Howard, G.M. Smith, Brawley, Cobb‑Hunter, J.L. Johnson, Rose, Wooten, Calhoon, Cogswell, Hewitt, Jefferson, R. Williams, Murray, B. Newton, Hixon, Carter, Jones, King, McGarry, Anderson, K.O. Johnson and Wheeler

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Read the first time January 12, 2021.

**A** **JOINT RESOLUTION**

TO ADDRESS THE LOW RATE OF ADMINISTRATION OF COVID‑19 VACCINATIONS IN SOUTH CAROLINA BY DIRECTING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TEMPORARILY AUTHORIZE CERTAIN QUALIFIED HEALTH CARE WORKERS TO ADMINISTER CERTAIN APPROVED COVID‑19 VACCINATIONS REGARDLESS OF WHETHER THE HEALTH CARE WORKERS ARE OTHERWISE PROHIBITED FROM DOING SO UNDER ANY PROFESSIONAL SCOPE OF PRACTICE OR UNAUTHORIZED PRACTICE PROVISION OF LAW IN THIS STATE.

Amend Title To Conform

Whereas, the State of South Carolina and the nation are in a state of crisis due to the Coronavirus Disease 2019 (COVID‑19) pandemic; and

Whereas, on March 13, 2020, and in subsequent orders, Governor Henry McMaster directed the Department of Health and Environmental Control to utilize and exercise any and all emergency powers, as set forth in the Emergency Powers Act, deemed necessary to promptly and effectively address the COVID‑19 public health emergency; and

Whereas, in its commendable efforts to carry out the Governor’s directive, DHEC has failed to ensure an adequate pool of health care workers authorized to administer these COVID‑19 vaccines. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Notwithstanding any professional scope of practice or unauthorized practice of law provision in this State, the following individuals have the authority to administer premeasured doses of the COVID‑19 vaccine:

(1) unlicensed personnel with current certification by the certifying boards of the American Association of Medical Assistants (AAMA), the National Center for Competency Testing (NCCT), National Association for Health Professionals (NAHP), the National Certification Medical Association (NCMA), National Healthcare Association (NHA), American Medical Technologists (AMT), or any other certifying body approved by the South Carolina Board of Medical Examiners, and documented training in intermuscular injections; and who administer the vaccine at a site in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present;

(2) students of an accredited medical school, physician assistant school or program, or a nursing school or program with appropriate instruction and documented training in intramuscular injections and who administer the vaccine at a site in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present;

(3) Registered Nurses and Licensed Practical Nurses who have retired, become inactive, or whose licenses have lapsed within the last five years, provided their licenses were in good standing at the time of retirement/inactivation/lapse; and who submit the appropriate documentation to the Board of Nursing to confirm licensure within the last five years and that such license was in good standing at the time of retirement/inactivation/lapse; and who administer the vaccine at a site in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present;

(4) Physicians and Physician Assistants who have retired, become inactive, or whose licenses have lapsed within the last five years, provided their licenses were in good standing at the time of retirement/inactivation/lapse; and who submit the appropriate documentation to the Board of Medical Examiners to confirm licensure within the last five years and that such license was in good standing at the time of retirement/inactivation/lapse; and who administer the vaccine at a site in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present;

(5) dentists licensed in good standing by the South Carolina State Board of Dentistry who have successfully completed the following COVID‑19 training programs available through the Centers for Disease Control and Prevention:

(a) “COVID‑19 Vaccine Training; General Overview of Immunization Best Practices for Healthcare Providers”;

(b) “What Every Clinician Should Know about COVID‑19 Vaccines Safety”;

(c) “What Clinicians Need to Know About the Pfizer‑BioNTech and Moderna COVID‑19 Vaccines”; and

(d) “Pfizer‑BioNTech COVID‑19 Vaccine: What Healthcare Professionals Need to Know”; and who administer the vaccine at a site dedicated to the administration of the COVID‑19 vaccine, which does not include the office in which the dentist typically practices dentistry, in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present; and

(6) optometrists licensed in good standing by the South Carolina Board of Examiners in Optometry who have successfully completed the following COVID‑19 training programs available through the Centers for Disease Control and Prevention:

(a) “COVID‑19 Vaccine Training; General Overview of Immunization Best Practices for Healthcare Providers”;

(b) “What Every Clinician Should Know about COVID‑19 Vaccines Safety”;

(c) “What Clinicians Need to Know About the Pfizer‑BioNTech and Moderna COVID‑19 Vaccines”; and

(d) “Pfizer‑BioNTech COVID‑19 Vaccine: What Healthcare Professionals Need to Know”; and who administer the vaccine at a site dedicated to the administration of the COVID‑19 vaccine, which does not include the office in which the optometrist typically practices optometry, in which a Physician, Physician Assistant, Advanced Practice Registered Nurse, and/or a Registered Nurse licensed in good standing in South Carolina and capable of appropriate evaluation and response to medical emergencies, including resuscitation and treatment of anaphylaxis, is present.

(B) Notwithstanding any professional scope of practice or unauthorized practice provision in this State, South Carolina‑licensed Advanced Practice Registered Nurses, Physician Assistants, and Registered Nurses in good standing may delegate COVID‑19 vaccine dose administration to any individual authorized by South Carolina law to administer vaccines or identified in this section as authorized to administer COVID‑19 vaccines.

SECTION 2. This joint resolution takes effect upon approval by the Governor and terminates and is no longer effective when South Carolina is no longer under a declared public health emergency concerning COVID‑19.

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