



## Order of the Acting Secretary of the Pennsylvania Department of Health Directing Vaccine Providers' Administration of COVID-19 Vaccines

The 2019 novel coronavirus ("COVID-19") is a contagious disease that is spreading rapidly from person to person in the world, the United States, and this Commonwealth. COVID-19 can be transmitted from any person who is infected, even if they have no symptoms. Symptoms of COVID-19 may include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness. There have been 888,256 cases and 22,959 deaths in this Commonwealth caused by the still present and ongoing pandemic.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. See section 5 of the Disease Prevention and Control Law, 35 P.S. § 521.5; section 2102(a) of the Administrative Code of 1929, 71 P.S. § 532(a); and the Department of Health's ("Department") regulation at 28 Pa. Code § 27.60 (relating to disease control measures). Particularly, the Department has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. See 35 P.S. § 521.5; 71 P.S. §§ 532(a), and 1403(a); 28 Pa. Code § 27.60.

As there is limited COVID-19 vaccine supply compared to demand, all possible efforts must be made so that the vaccine received in the Commonwealth is effectively administered. In order to receive COVID-19 vaccine, all vaccine providers have entered into an agreement with the federal government to vaccinate in accordance with guidance from the federal government and the state departments of health. See [CDC COVID-19 Vaccination Program Provider Agreement](#). The federal government, through the Advisory Committee on Immunization Practices ("ACIP") of the Centers for Disease Control and Prevention has recommended vaccine priorities, which have been adopted by the Commonwealth. See Pennsylvania's [COVID-19 Interim Vaccination Plan](#). Implementation of the vaccine priorities, increased administration of vaccine dosages received, and accessibility to scheduling resources, in part, will ensure the effective administration of the COVID-19 vaccine within the Commonwealth and eventually slow the spread of COVID-19 until it is curtailed.

Accordingly, on this day, February 12, 2021, in order to prevent and control the spread of disease, I hereby order:

### Section 1. Definitions

For purposes of this Order, the listed terms have the following meanings:

"Department" means the Department of Health of the Commonwealth.

"Interim Vaccination Plan" means Pennsylvania's [COVID-19 Interim Vaccination Plan](#), which is incorporated into this Order by reference.

“Vaccine” means a vaccine authorized for emergency use by the Food and Drug Administration to prevent COVID-19.

“Vaccine Providers” means all Pennsylvania vaccine providers who have a valid COVID-19 Provider Agreement for the provision of the COVID-19 vaccine to individuals, with the following exceptions:

1. All Vaccine Providers whose Provider Agreement is with the Philadelphia Department of Public Health.
2. Facilities owned or operated by the federal government who have received vaccine from the federal government, including facilities operated by the federal Department of Veterans Affairs.

## Section 2. Vaccine Providers Administration

### A. Minimum administration requirement

1. At a minimum, Vaccine Providers shall administer 80% of the Vaccine first-doses received within seven days of receipt of those doses.
2. In the event that inclement weather or infrastructure failures outside of a Vaccine Provider’s control impact vaccine administration, the Vaccine Provider shall inform the Department through the Division of Immunizations of its inability to meet the requirements of this Order. At the discretion of the Department, a Vaccine Provider may be given additional time to meet the 80% administration metric.

### B. Vaccine Providers shall administer Vaccine in accordance with the following:

1. All requirements and recommendations in the [Interim Vaccination Plan](#), including any subsequent versions, and
2. The current Phase of Pennsylvania’s vaccine rollout, as defined by the [Department](#).

### C. Vaccine Providers providing a two-dose Vaccine shall provide to a first dose vaccinated recipient the COVID-19 vaccine reminder card that provides a date for a return appointment for the second dose of Vaccine.

### D. Vaccine Providers providing a two-dose Vaccine shall make every appropriate effort to ensure available appointments for second doses, including, but not limited to designating appointment times for second doses or scheduling second doses at the time of first dose administration, or both.

## Section 3. Vaccine Providers Appointments

- A. Vaccine Providers shall have operational and shall provide on their publicly available website, the following:
  - 1. An online system to directly schedule appointments and inform the public about appointment availability for the administration of any applicable dose of the Vaccine received by the Vaccine Provider; and
  - 2. A phone number for prompt access to live representatives or agents who directly schedule appointments and inform the public about appointment availability for the administration of any applicable dose of the Vaccine received by the Vaccine Provider.
- B. In order for the Department to post the information publicly on its website, Vaccine Providers shall identify to the Department the website address(es) and/or link(s) and phone number(s) that meet the requirements of Section 3(A) and information related to vaccine appointments in a manner and frequency prescribed by the Department.

#### Section 4. Reporting of Vaccine Data

Vaccine Providers receiving Vaccine shall report to the Department the following:

- 1. Vaccinations and the information required by the [Order Requiring Reporting of Data Related to Each Administration of an Immunization for COVID-19](#), dated December 15, 2020, on each vaccine administered, including race and ethnicity of the recipient, whether or not the recipient is connected to the Vaccine Provider.
- 2. Within 24 hours of receipt of inventory or administration of a vaccine, Vaccine Providers shall access the PA SIIS web application to record receipt of shipments of COVID-19 immunization inventory, to record reduction in inventory levels as vaccines are administered, and to reconcile inventory levels to ensure tracking in compliance with Section 2(A) of this order.
- 3. Upon the Department's request, and in a format as requested by the Department, the number of individuals vaccinated each week, and the Phase under which those individuals were eligible for vaccination.

#### Section 5. Enforcement

In accordance with the CDC COVID-19 Vaccination Provider Agreement, vaccine providers are required to administer the vaccine in compliance with all applicable state and federal laws. The Department may reduce or temporarily suspend a Vaccine Provider's allocation of first doses for failure to comply with guidance issued under federal government and state law, including failure to comply with this Order, issued under the authority of Disease Prevention and Control Law and the Administrative Code

of 1929. Allocations of first doses reduced or temporarily suspended under this Order may be restored once a Vaccine Provider provides assurance of future compliance of this Order to the Department.

Section 6. Effect on Other Orders

This Order rescinds and replaces the *Order of the Secretary of the Pennsylvania Department of Health Requiring Health Systems, Hospitals, Federally Qualified Health Centers and Pharmacies to Vaccinate Certain Health Care Personnel*, dated December 30, 2020.

Section 7. Effective Date and Duration:

This Order is effective at 12:01 a.m. on February 12, 2021 and shall take effect as follows:

- The online and phone-based registration system requirements under Section 3(A)(1) and (2) shall take effect 12:01 a.m. on February 19, 2021.
- The allocation enforcement under Section 5 shall take effect 12:01 a.m. on February 22, 2021.
- The remainder of this Order shall take effect immediately.

This Order will remain in effect until further notice.



Alison V. Beam,  
Acting Secretary of Health