

LCB File No. E004-09

**EMERGENCY REGULATION OF THE
STATE BOARD OF HEALTH**

(Effective for 120 days from September 28, 2009)

Health Division Emergency Regulations
Nevada Administrative Code Chapter 450B

The Office of Emergency Medical Systems within the Health Division is requesting approval to promulgate regulations for chapter 450B – Emergency Medical Services that will allow Intermediate and Advanced Emergency Medical Technicians to administer influenza vaccine and dispense medications during a public health emergency or public vaccination clinic.

Recently, there has been increasing concern about the potential for emergence of a novel influenza virus that could cause a new pandemic. The World Health Organization, the Centers for Disease Control and Prevention, the US Department of Health and Human Services, the Nevada State Health Division, and Local Health Officers are working to improve our ability to respond to public health emergencies in which immunization is administered or medication is dispensed. These efforts have revealed a workforce shortage that may impact a rapid and systematic immunization delivery program.

One product of these efforts is authorization to allow medical providers to participate in non-traditional ways, such as allowing Intermediate Emergency Medical Technicians and Advance Emergency Medical Technicians to administer influenza vaccine and dispense medications during a public health emergency. While a viable strategy, Intermediate and Advanced Emergency Medical Technicians are not trained or typically authorized to participate beyond their scope of practice.

Assembly Bill 349 enacted by 75th Session of Nevada Legislature authorizes an Intermediate Emergency Medical Technician or an Advanced Emergency Medical Technician who holds an endorsement to administer immunizations, dispense medication and prepare and respond to certain public health needs in accordance with regulations adopted by State Board of Health.

If this strategy is to be effective, Intermediate Emergency Medical Technicians and Advance Emergency Medical Technicians must participate in public vaccination clinics and other activities designed to prepare the community to meet anticipated health needs before public health emergencies strike.

Authorization under this program is only valid for Intermediate Emergency Medical Technicians and Advanced Emergency Medical Technicians who hold an endorsement to administer immunizations issued by Nevada Office of Emergency Medical Systems.

Proposed Regulations:

Section 1

Endorsement to administer immunizations: Qualifications; authorized activities.

1. *To receive an endorsement to administer immunizations an applicant must:*
 - a) *Posses a certificate as an intermediate emergency medical technician or as an advanced emergency medical technician which is issued pursuant to chapter 450B of NRS.*
 - b) *Provide proof of the successful completion of an influenza vaccine training approved by the health division.*
 - c) *Demonstrate the administration of either actual influenza vaccine or saline injection to a patient or volunteer under the direct supervision of a person who is licensed to administer influenza vaccine.*
2. *An intermediate emergency medical technician or an advanced emergency medical technician having been endorsed to administer immunizations may:*
 - a) *Participate in a public vaccination clinic or other local public health authority sponsored training exercise, provided the participant list is approved by the health division prior to the start of the public vaccination clinic;*
 - b) *Participate in a public vaccination event in support of any declared public health emergency, provided the participant list is provided to the health division within 48 hours after the start of the public vaccination event, and;*
 - c) *Under the direct supervision of the local health officer, or designee, of the jurisdiction in which the immunization is administered.*

Section 2

Endorsement to administer immunization: Expiration; retention of skills; renewal.

1. *An endorsement to administer immunization expires on the date of expiration appearing on the certificate for an intermediate emergency medical technician or advanced emergency medical technician.*
2. *To maintain his endorsement, an intermediate emergency medical technician or advanced emergency medical technician must demonstrate the administration of either actual influenza vaccine or saline injection to a patient or volunteer under the direct supervision of a person who is licensed to administer influenza vaccine within the 2 years immediately preceding the expiration date of the endorsement.*
3. *To renew his endorsement, an intermediate emergency medical technician or advanced emergency medical technician must:*
 - a) *Meet the requirements for renewal of his endorsement;*
 - b) *Before his certification expires, submit an application evidencing that he has met the requirements of this section.*

Endorsed this date September 28, 2009 by

/s/

Honorable Jim Gibbons, Governor of the State of Nevada

NOTICE OF ADOPTION OF EMERGENCY REGULATION
LCB File No. E004-09

The State Board of Health adopted emergency regulations assigned as LCB File No. E004-09 which pertains to chapter 450B of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

These emergency regulations were presented to the September 25, 2009 Nevada State Board of Health public hearing and there were no comments from the public. The State Board of Health unanimously approved the emergency regulations.

2. The number of persons who:
 - (a) Attended the hearing;
 - (b) Testified at each hearing; and
 - (c) Submitted to the agency written statements.

There was no public comment voiced regarding the emergency regulations at the Nevada State Board of Health public hearing.

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

No small business impact summary was submitted.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The statement should also explain the reasons for making any changes to the regulation as proposed.

This brief set of regulations is being sought as an interim measure until the agency can conduct public workshops and receive LCB approval for regulations to be adopted by the State Board of Health. Emergency regulations are requested because of the urgency to augment personnel authorized or licensed to administer influenza vaccine in light of recent H1N1 events and planning. Proposed regulations have been reviewed and approved by Linda Anderson, DAG.

5. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must Include:
 - (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long term effects.

There are no adverse effects to Intermediate EMTs or Advanced EMTs. There are no adverse effects on the public.

6. The estimated cost to the agency for enforcement of the proposed regulation,

There is no anticipated additional cost to the agency for enforcement of the proposed regulation.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency.

There is no duplication or overlap of either state or local government agency's regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

These proposed regulations do not overlap or duplicate federal regulations.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

These regulations do not establish new fees.

10. If the proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formulation, operation or expansion of a small business. What methods did the agency use in determining the impact of the regulation on a small business?

These regulations impose no economic burden.