



# IDAHO

## DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES

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### IDAHO DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES (IDOPL) EMERGENCY PROCLAMATION: JANUARY 29, 2021 IDOPL GUIDANCE DOCUMENT

#### OVERVIEW:

On Friday, January 29, 2021 Governor Brad Little issued an emergency proclamation to increase the availability and capacity of trained healthcare professionals throughout the state of Idaho to administer the COVID-19 vaccines. The emergency proclamation states:

*Any state regulations that interfere with the ability of a licensed or registered health professional from administering a COVID-19 vaccine are hereby suspended for the duration of the declared state of emergency, including extensions, so long as the health professional possesses the necessary education and training to administer the COVID-19 vaccine. Licensed or registered health professionals authorized to administer the COVID-19 vaccine must act in good faith, exercise reasonable care, and be in compliance with applicable federal regulations.*

*In the interest of further eliminating state regulatory barriers to the timely and efficient administration of the COVID-19 vaccines, any regulation that requires a physician order prior to administering the COVID-19 vaccines is hereby suspended for the duration of the declared state of emergency, including extensions.*

#### IDOPL GUIDANCE:

The Emergency Proclamation provides guidance to licensed or registered health professionals for the administration of the COVID-19 vaccines. To determine and evaluate whether administering the COVID-19 vaccines is permissible, a licensee or registrant must first independently consider whether:

- The act is consistent with the licensee's or registrant's education, training, or practice experience; **and**
- Performance of the act is within the accepted standard of care that would be provided in a similar setting by a reasonable and prudent licensee or registrant with similar education, training, and experience.

Two questions that may help a licensee or registrant successfully navigate the provisions of professional judgment in the emergency proclamation include:

1. If someone asks why I made this decision, can I justify it as being consistent with good patient care?
2. Would this decision withstand a test of reasonableness (would another prudent licensee or registrant make the same decision in this situation)?

#### IDOPL AGENCY CONTACT INFORMATION:

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#### EXPIRATION:

The expiration of this IDOPL guidance will coincide with "the limited duration of the declared state of emergency" of the proclamation.