

**TITLE 16. DENTAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

PROPOSED LANGUAGE

Legend: Added text is indicated with an underline.
 Deleted text is indicated by ~~strikeout~~.

Adopt Section 1066 in Article 9 of Chapter 2 of Division 10 of Title 16 of the California Code of Regulations, to read as follows:

1066. Dentists Initiating and Administering Vaccines.

(a) A dentist prescribing and administering any vaccine pursuant to section 1625.6 of the Code shall follow the requirements specified in subdivisions (b) through (f) of this section. Failure to comply with this section constitutes unprofessional conduct in accordance with section 1680 of the Code.

(b) Training. A dentist who prescribes and administers any vaccine shall keep documentation of completion of an immunization training program from an approved provider as set forth in subdivision (c). A dentist who prescribes and administers vaccines shall retain certificates of course completion for any approved training program on premises and according to the requirements of section 1017.

(c) Continuing Education. A dentist must complete one hour of continuing education from an approved provider once every two years focused on immunization training that includes, at a minimum, training in vaccine administration, prevention and management of adverse reactions, and maintenance of vaccine records. For the purposes of this section, an “approved provider” means: (1) the federal Centers for Disease Control and Prevention (CDC); or, (2) a continuing education provider registered and approved by the Board pursuant to section 1016.

(d) Notifications: A dentist shall notify each patient’s primary care provider of any vaccine administered to the patient, or enter the appropriate information in a patient record system shared with the primary care provider, as permitted by the primary care provider. Primary care provider notification must take place within 14 days of the administration of any influenza or COVID-19 vaccine. If a patient does not have a primary care provider, or is unable to provide contact information for his or her primary care provider, the dentist shall advise the patient to consult an appropriate health care provider of the patient’s choice. A dentist shall notify each pregnant patient’s prenatal care provider, if known, of any influenza or COVID-19 vaccine administered to the patient within 14 days of the administration of any vaccine.

(e) Immunization Registry: A dentist shall report, in accordance with section 1625.6, subdivision (b)(2) of the Code, the information described in section 120440, subdivision (c), of the Health and Safety Code in the registry designated by the Immunization Branch of the California Department of Public Health known as the “California Immunization Registry” or “CAIR” within 14 days of the administration of any influenza vaccine and within 24 hours of the administration of any COVID-19 vaccine. A dentist shall complete the required registration process for reporting this information in the California Immunization Registry via the online CAIR portal designated on the California Department of Public Health’s website at: <https://igs.cdph.ca.gov/cair/>. A dentist shall inform each patient or the patient’s guardian of immunization record sharing preferences, detailed in section 120440, subdivision (e), of the Health and Safety Code.

(f) Documentation: For each vaccine administered by a dentist, a patient vaccine administration record shall be maintained for at least 3 years from the date of administration of the vaccine to the patient in an automated data processing or manual record mode such that the information required under section 300aa-25 of title 42 of the United States Code is readily retrievable during normal operating hours. A dentist shall provide each patient with a patient vaccine administration record or card at the time of vaccination, which fully documents the vaccines administered by the dentist, including names of vaccines administered and the dates of administration. The dentist’s provision of the CDC’s “COVID-19 Vaccination Record Card” (Form MLS-319813_r [08/17/2020]) to patients receiving the COVID-19 vaccine, or the California Department of Public Health’s Immunization Record and History Form (CDPH 8608P (06/17) to patients receiving the influenza vaccine shall be deemed compliant with the patient vaccine administration record requirement.

(g) For the purposes of this section, the following definitions apply:

(1) “patient vaccine administration record” shall mean the patient record that fully documents the vaccines administered by the dentist including (A) names of vaccines administered, (B) dates of administration, (C) the dates of the provision of a Vaccine Information Statement (for influenza vaccines) if applicable or a COVID-19 Vaccine Emergency Use Authorization Fact Sheet (EUA Fact Sheet) to the patient (for COVID-19 vaccines) if applicable, and D) any other information required to be documented pursuant to section 300aa-25 of title 42 of the United States Code.

(2) “Vaccine Information Statement” means a document produced by the CDC that informs vaccine recipients, or their parents or legal representatives, about the benefits and risks of the influenza vaccine they are receiving as required by 300aa-26 of title 42 of the United States Code.

(3) “COVID-19 Vaccine Emergency Use Authorization Fact Sheet” or “EUA Fact Sheet” means a document, produced by the manufacturer of the particular COVID-19 vaccine and authorized by the federal Food and Drug Administration

under authority of the Federal Food, Drug and Cosmetic Act pursuant to section 360bbb-3 of title 21 of the United States Code, that informs vaccine recipients, or their parents or legal representatives, about the benefits and risks of a particular COVID-19 vaccine.

Note: Authority cited: Sections 1614 and 1625.6, Business and Professions Code.
Reference: Sections 1625.6, 1645.2 and 1680, Business and Professions Code; and Section 120440, Health and Safety Code.