



GEORGIA DEPARTMENT OF PUBLIC HEALTH ADMINISTRATIVE ORDER FOR VACCINE USAGE AND ACCOUNTABILITY

WHEREAS, on March 14, 2020, Governor Brian P. Kemp issued Executive Order 03.14.20.01, declaring a Public Health State of Emergency in Georgia due to the impact of Novel Coronavirus Disease 2019 (COVID-19); and

WHEREAS, on March 16, 2020, the Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution; and

WHEREAS, the Public Health State of Emergency has been extended as provided by law; and

WHEREAS, COVID-19 presents a severe threat to public health in Georgia;

WHEREAS, Providers who enroll in the COVID-19 Vaccination Program (Program) perform vital functions including properly storing, handling, and managing vaccine supply as well as administering vaccine to intended recipients;

WHEREAS, the Department of Public Health Georgia Immunization Program (DPH/GIP) has implemented a COVID-19 Vaccine Program Provider Accountability and Waste Avoidance Policy (Policy) to confirm Providers are complying with their obligations under the Program, the CDC COVID-19 Vaccination Program Provider Agreement, DPH's Vaccine Plan (<https://dph.georgia.gov/document/document/georgia-covid-19-vaccine-plan/download>), the DPH state office managed phased approach to vaccine rollout, to which all Providers must adhere¹ and applicable federal and state laws and guidelines for vaccine usage; and

WHEREAS, DPH requires Providers enrolled in the Program to take action to correct identified/detected abuse and/or waste, as set forth in the Policy, if the abuse and/or waste is confirmed as a result of the investigation DPH/GIP staff conducts.

NOW, THEREFORE, in accordance with O.C.G.A. §§ 31-2A-4, 31-1-10, and 31-12-2.1(a) as well as Governor Kemp's Executive Orders,

IT IS HEREBY ORDERED as follows:

1. As a condition of continued enrollment as a COVID-19 Vaccine Program Provider, each Provider is required to read and agree to the terms of the "COVID-19 Vaccine Program Provider Accountability and Waste Avoidance Policy." Each Provider's

¹ Inquiries related to the phases should be directed to the DPH state office at DPH-COVID19Vaccine@dph.ga.gov.

acceptance of the terms of said Policy will be evidenced by the Provider's authorized representative signing of the "Acceptance of COVID-19 Vaccine Program Provider Accountability and Waste Avoidance Policy," a copy of which is attached hereto, and electronically signed via DocuSign.

2. By reading and electronically signing via DocuSign, Program Providers acknowledge that compliance with Program requirements, as set forth in the Policy, is mandatory and that DPH may impose penalties and/or require corrective action for identified non-compliance, including but not limited to the following:
 - For Providers who vaccinate outside of Georgia's current phase as reflected on DPH's website, except as set forth in the Accountability and Waste Avoidance Policy to avoid wasting vaccine:
 - First Offense – 45 day suspension from the Program and DPH will collect the Providers existing vaccine inventory within 72 hours for redistribution to enrolled Providers within the county. Sufficient inventory will be left with the suspended Provider for 2nd dose vaccine recipient needs.

Note: The phased approach to vaccine rollout is managed by the State office of the Georgia Department of Public Health. All Providers in the state of Georgia must adhere to the plan as set by DPH. Inquires related to the phases shall be directed to the State DPH office DPH-COVID19Vaccine@dph.ga.gov.
 - Second Offense -- Immediate Termination from the Program.
 - For Providers who fail to report vaccine administration data into GRITS within 24 hours of administration:
 - First Offense – Written warning from DPH; however, if reporting is not corrected within 7 calendar days, a two-week moratorium on additional vaccine shipments shall be imposed and a corrective action plan developed and implemented to prevent future violations.
 - Second Offense – Two-week moratorium on additional vaccine shipments, as well as correction of reporting along with development and implementation of a corrective action plan to prevent future violations.
 - Subsequent Offenses – to be determined by the Commissioner of the Georgia Department of Public Health.
 - For Providers who knowingly vaccinate recipients who do not live or work in Georgia:
 - First Offense – Written warning from DPH.
 - Second Offense – Two-week moratorium on additional vaccine shipments, as well as development and implementation of a corrective action plan to prevent future violations.
 - Subsequent Offenses – to be determined by the Commissioner of the Georgia Department of Public Health.
 - For Providers who refuse to administer vaccine to recipients who live outside the county:
 - First Offense -- Written warning from DPH.
 - Second Offense -- Two-week moratorium on additional vaccine shipments, as well as development and implementation of a corrective action plan to prevent future violations.
 - Subsequent Offenses – to be determined by the Commissioner of Public Health.
 - For Providers who fail to use all reasonable efforts to administer a second dose to vaccine recipients who received a first dose from the Provider:
 - First Offense -- Written warning from DPH.

○ Second Offense – Referral to the Provider’s professional licensing Board.
The Commissioner of the Georgia Department of Public Health shall have the authority to implement any of the foregoing, or any other penalty and/or corrective action for Program abuse and/or waste, up to and including termination from the Program, with the decision regarding the penalty to be assessed and/or corrective action to be imposed based on the egregiousness of the abuse and/or waste.

This Administrative Order is effective as of the date reflected hereon and shall remain in effect for ninety (90) days, with the option to renew, following the end of the Public Health State of Emergency declared in Executive Order 03.14.20.01 and as extended thereafter.

SO ORDERED, this 17th day of February, 2021.



Kathleen E. Toomey, M.D. M.P.H.
Commissioner, Department of Public Health
State Health Officer

[Accountability Waste Policy](#)

[COVID-19 Vaccine Fraud Policy](#)