



2021 SENATE BILL 13

January 28, 2021 - Introduced by Senators BERNIER, WANGGAARD, COWLES, FEYEN, KOOYENGA and RINGHAND, cosponsored by Representatives BROOKS, MILROY, MOSES, MURSAU, SCHRAA, SINICKI and SKOWRONSKI. Referred to Committee on Health.

1 **AN ACT to create** 447.01 (1e), 447.01 (8) (az), 447.01 (11) and 447.059 of the
2 statutes; **relating to:** dentists administering certain vaccines.

Analysis by the Legislative Reference Bureau

This bill authorizes dentists to administer COVID-19 and flu vaccines. Under current law, generally, vaccines may be administered only by physicians, physician assistants, nurses, pharmacists, and certain pharmacy students.

To administer COVID-19 and flu vaccines under the bill, a dentist must complete 12 hours of training on vaccine storage, protocols, administration technique, emergency procedures, and record keeping and must have in effect liability insurance meeting certain requirements. A dentist may not administer a COVID-19 or flu vaccine to a child under the age of six unless the vaccine is administered pursuant to a prescription order and the dentist completes training that includes administering vaccines to children under the age of six. The bill also requires a dentist who administers a COVID-19 or flu vaccine to update the Wisconsin Immunization Registry established by the Department of Health Services within seven days of administering the vaccine.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 447.01 (1e) of the statutes is created to read:

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1 447.01 **(1e)** “Administer” means to directly apply a vaccine to the body of a
2 patient by any means.

3 **SECTION 2.** 447.01 (8) (az) of the statutes is created to read:

4 447.01 **(8)** (az) “Dentistry” includes administering vaccines against
5 SARS-CoV-2 coronavirus and influenza under s. 447.059 (1).

6 **SECTION 3.** 447.01 (11) of the statutes is created to read:

7 447.01 **(11)** “Prescription order” has the meaning given in s. 450.01 (21).

8 **SECTION 4.** 447.059 of the statutes is created to read:

9 **447.059 Administering certain vaccines. (1)** A dentist may administer
10 without a prescription order a vaccine against SARS-CoV-2 coronavirus or
11 influenza only if he or she satisfies all of the following:

12 (a) The dentist successfully completes 12 hours in a course of study and
13 training approved by the examining board in vaccination storage, protocols,
14 administration technique, emergency procedures, and record keeping.

15 (b) The dentist has in effect liability insurance that covers the dentist against
16 loss, expense, and liability resulting from errors, omissions, or neglect in the
17 administration of vaccines against SARS-CoV-2 coronavirus and influenza in an
18 amount that is not less than \$1,000,000 for each occurrence and \$2,000,000 for all
19 occurrences in any one policy year.

20 (c) The dentist maintains proof of completing a course of study and training
21 specified in par. (a) and satisfying the requirement specified in par. (b).

22 **(2)** A dentist may not administer a vaccine under sub. (1) to a child who is under
23 the age of 6 unless all of the following apply:

24 (a) The vaccine is administered pursuant to a prescription order issued within
25 the 29 days immediately preceding the day on which the vaccine is administered.

