

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 05 FY 11/12
DATE October 12, 2010

**AN ORDER DESIGNATING THE MAINE EMERGENCY MANAGEMENT AGENCY
TO DESIGNATE HEALTH CARE PERSONNEL TO PARTICIPATE IN SCHOOL-
BASED H1N1 VACCINATION CLINICS**

WHEREAS, on August 10, 2010, the World Health Organization terminated the Phase 6 pandemic alert for 2009 pandemic H1N1 influenza, determined the world was entering a post-pandemic period in which post-pandemic period cases and outbreaks of the H1N1 (2009) virus are expected to occur for some period of time, and that younger age groups, including pregnant women, will continue to be affected disproportionately by severe disease from the H1N1(2009) virus; and

WHEREAS, the World Health Organization is recommending continued prevention and control efforts to reduce the impact of the H1N1 virus, including vaccination against the influenza, including the H1N1 vaccine and the seasonal influenza vaccines, depending upon availability and national guidelines; and

WHEREAS, the U.S. Centers for Disease Control and Prevention and the Maine Center for Disease Control and Prevention recommend that all persons be vaccinated each year for the H1N1 Influenza virus and that annual vaccination of all children aged 6 months to 18 years should begin as soon as the influenza vaccine is available; and

WHEREAS, the 2010-2011 seasonal influenza vaccine approved by the U. S. Centers for Disease Control and Prevention will protect against the 2009 H1N1 virus as well as other influenza strains which are circulating, H3N2 virus and Influenza B virus; and

WHEREAS, the Maine Center for Disease Control and Prevention and the Maine Department of Education are organizing a school-based campaign to provide seasonal influenza vaccine in accordance with the recommendations of the federal Centers for Disease Control and Prevention; and

WHEREAS, On February 26, 2010, Health and Human Services Secretary Sebelius amended her September 28, 2009 Emergency Declaration regarding Pandemic Influenza Vaccines pursuant to the Public Readiness and Emergency Preparedness Act (42 U.S.C. §247-d-6d), in which she determined that the 2009 H1N1 Influenza A virus remains circulating and remains capable of causing a pandemic of human influenza and extended the public health emergency declaration until February 28, 2012, and further determined that covered countermeasures

included the development, distribution, administration and usage of vaccines against Influenza A viruses with pandemic potential and any associated adjuvants; and

WHEREAS, the availability of statewide school-based vaccination clinics is threatened due to concerns about potential legal liability relating to administration of the vaccine;

NOW THEREFORE, I, John Elias Baldacci, Governor of the State of Maine, by virtue of the authority vested in me by the Constitution and the Laws of the State of Maine, do hereby direct the Director of the Maine Emergency Management Agency to coordinate with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, the Department of Education, and the Department of Public Safety, Bureau of Emergency Medical Services in the designation of appropriate health care personnel to distribute and administer H1N1 influenza vaccines in participating school-based vaccination clinics.

Mission and Scope

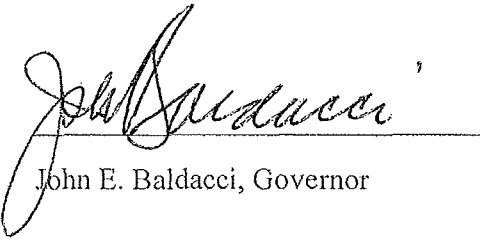
Pursuant to the implementation of this Executive Order, I order the following:

- A. The Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Department of Education shall coordinate with the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the Department of Public Safety, Bureau of Emergency Medical Services to identify those health care workers duly licensed and authorized to administer influenza vaccines in the State of Maine who are able and available to participate in the planned school-based vaccinations for seasonal influenza.
- B. The Maine Center for Disease Control and Prevention, Department of Education and Maine Emergency Management Agency shall coordinate and facilitate the establishment, implementation, administration and operation of vaccination clinics in school-based settings in a manner consistent with the recommendations of the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention and the Advisory Committee on Immunization Practices.
- C. The relevant provisions of the Maine Pandemic Influenza Plan will be activated to facilitate the distribution and administration of the seasonal influenza vaccine.
- D. To the extent necessary to assure the timely provision of seasonal influenza in school-based clinics in accordance with the guidance of the federal Centers for Disease Control and Prevention, the Director of the Maine Emergency Management Agency will exercise his authority pursuant to 37-B M.R.S.A. §784-A to call for and employ persons considered necessary for assistance, and designate appropriate health care workers licensed in this State and authorized to administer vaccines to participate in vaccination clinics in accordance with the requirements of this Executive Order.

- E. All persons designated by the Maine Emergency Management Agency to participate in vaccine administration shall, pursuant to 37-B M.R.S.A. §784-A, be deemed employees of the State and entitled to immunity pursuant to 37-B M.R.S.A. §822.
- F. The Maine Center for Disease Control and the Maine Emergency Management Agency shall coordinate with the federal government to secure all appropriate influenza vaccines, if necessary.

Effective Date

The effective date of this Executive Order is October 12, 2010. The Executive Order shall expire on February 28, 2011, unless earlier rescinded.



John E. Baldacci, Governor