

February 11, 2021

RADM Felicia Collins, MD, MPH, FAAP
Acting Assistant Secretary for Health
U.S. Department of Health and Human Services
200 Independence Avenue SW
Room 715-G
Washington, DC 20201

Re: PREP Act Guidance for Dentists Who Administer FDA-Approved COVID-19 Vaccines

Dear Dr. Collins:

On behalf of our 162,000 members, we respectfully ask your office to issue guidance regarding temporary liability protection for dentists who administer approved COVID-19 vaccines under the Public Readiness and Emergency Preparedness Act (PREP Act).

The Biden administration has determined there is an urgent need to expand the pool of available COVID-19 vaccinators to respond effectively to the pandemic.¹ Unfortunately, federal efforts to mobilize every qualified vaccinator have not taken advantage of a seemingly obvious resource: Dentistry.

Dentists already have the requisite knowledge and skills to administer vaccines and observe side effects—and many do so on a daily basis.^{2,3} Dentists are well educated in human anatomy, physiology, and pathophysiology, and are trained to administer intra-oral local anesthesia. It is arguably more difficult to administer an inferior alveolar nerve block inside the oral cavity than to vaccinate an exposed arm and manage any side effects.

Prior to the pandemic, three states allowed dentists to administer the seasonal influenza vaccine: Illinois, Minnesota, and Oregon. Today, at least 19 states have enlisted dentists to administer the approved COVID-19 vaccines.⁴ Another nine states⁵ and the District of Columbia are discussing similar measures. (On a similar note, at least 24 states⁶ and the District of Columbia have approved dentists to order and/or administer FDA-approved COVID-19 tests, and at least five other states⁷ are considering the same.)

Consider also that about two-thirds of dental patients scheduled for a routine dental visit (65 percent) are willing to get a COVID-19 vaccine from their dentist.⁸ That makes every dental encounter an opportunity to educate and vaccinate—and a chance to shorten the line at other vaccination locations.

We are not convinced that the Assistant Secretary for Health intended to exclude any qualified vaccinators from the PREP Act Declaration. We would also hate for dentistry, which is not mentioned, to be overlooked in plans to expand the nation's vaccination surge capacity, especially when dentists are qualified to vaccinate and willing to do so.

Again, we respectfully ask your office to issue guidance regarding temporary liability protection for dentists who administer approved COVID-19 vaccines under the PREP Act.

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Doing so would achieve two aims of President Biden's National Strategy for the COVID-19 Response and Pandemic Preparedness: Safely and effectively "surge the health care workforce to support the vaccination effort" and "create as many venues as needed for people to be vaccinated."

Thank you for considering our request. We applaud your leadership on this issue and hope the COVID-19 pandemic will soon be under control. If you have any questions, please contact Mr. Robert J. Burns at 202-789-5176 or burns@ada.org.

Sincerely,

/s/

Daniel J. Klemmedson, D.D.S., M.D.
President

/s/

Kathleen T. O'Loughlin, D.M.D., M.P.H.
Executive Director

DJK:KTO:rjb

cc: Norris Cochran, Acting Secretary, U.S. Department of Health and Human Services
Jeffrey Zients, White House COVID-19 Response Coordinator

¹ Fifth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19, 86 Fed. Reg. 7872 (February 2, 2021).

² Colvard MD, Lampris LN, et al. The dental emergency responder: Expanding the scope of dental practice. JADA. 2006; 137(4):468-473.

³ American Association for Dental Research, et al., coalition letter to ADM Brett Giroir, Assistant Secretary for Health, U.S. Department of Health and Human Services, September 22, 2020.

⁴ As of Feb. 8, 2021, Alabama, California, Colorado, Connecticut, Georgia, Idaho, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Rhode Island, and Washington have authorized dentists to administer FDA-approved COVID-19 vaccines.

⁵ As of Feb. 8, 2021, Indiana, Iowa, Minnesota, Mississippi, Missouri, Nebraska, Nevada, Utah, West Virginia, Wisconsin, and the District of Columbia are considering measures that would allow dentists to administer FDA-approved COVID-19 vaccines.

⁶ As of Feb. 8, 2021, Arizona, California, Connecticut, Florida, Georgia, Idaho, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, North Carolina, Oklahoma, Oregon, Rhode Island, South Dakota, Utah, Washington, West Virginia, Wisconsin, and the District of Columbia have allowed dentists to order and/or administer FDA-approved COVID-19 tests.

⁷ As of Feb. 8, 2021, Alabama, Mississippi, Nevada, New Hampshire, and Texas are considering measures that would allow dentists to order and/or administer FDA-approved COVID-19 tests.

⁸ ADA Health Policy Institute. COVID-19: Economic Impact on Dental Practices. Week of January 18, 2021 Results.