

**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF MARIN
REQUIRING LARGE HEALTHCARE PROVIDERS TO DELIVER TO THE HEALTH
OFFICER COMPREHENSIVE COVID-19 VACCINATION PLANS AND REQUIRING
ALL VACCINE PROVIDERS, AT THE HEALTH OFFICER’S REQUEST, TO MAKE
AVAILABLE COVID-19 VACCINATION DATA
(PUBLIC HEALTH EMERGENCY ORDER)**

DATE OF ORDER: February 12, 2021

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE
SECTIONS 101040, 101085, 120175, AND 120176, THE HEALTH OFFICER OF THE
COUNTY OF MARIN ORDERS:**

1. Purpose and Findings

a. Purpose and Intent. The federal government controls distribution to the states, pharmacies and other federal entities of Coronavirus Disease 2019 (“COVID-19”) vaccines, for which the U.S. Food and Drug Administration has given conditional use authorization. The State of California in turn controls the allocation of vaccines it receives from the federal government. The State then allocates shipments of COVID-19 vaccines directly to local public health authorities and Multi County Entities for distribution to health care providers located throughout California. Scientific evidence indicates that broad community access to COVID-19 vaccines offers the clearest and quickest path to reduce the number of COVID-19 cases and to bring the pandemic to an end. It is also critical to speed up and prioritize access to COVID-19 vaccine for people who are most susceptible to serious illness or death as a result of the disease, such as people over 65 years of age and people living in congregate living situations. Protecting these groups can result in lower death rates and free up critical hospital space to better care for patients suffering from all types of injury or illness. For a number of reasons, information about the number of doses Vaccine Providers (as defined in Section 4 below) have received and administered, and their plans to administer future doses they receive, has not yet been readily available through State data channels.

This Order is issued to ensure Vaccine Providers in the County are broadly, efficiently, and effectively distributing COVID-19 vaccines to residents and workers in the community consistent with State guidelines. The intent of this Order is to (1) provide the Health Officer of the County of Marin (the “Health Officer”) with timely access to COVID-19 vaccination data from all Vaccine Providers so the Health Officer can monitor and facilitate distribution in the County and make information available to the public, (2) confirm that all Large Healthcare Providers have vaccination plans in place for the timely and effective distribution of the COVID-19 vaccine, and (3) help ensure that Vaccine Providers continue to meet the requirements and goals of their vaccination plans. This Order will also assist the Health Officer and public health authorities to identify and further support those Vaccine Providers whose continued partnership with public health

and commitment to community-wide vaccination are resulting in the most rapid and successful distribution of COVID-19 vaccines.

b. Interpretation. All provisions of this Order must be interpreted to effectuate the purpose and intent of this Order, as described in subsection 1.a above. Certain initially capitalized terms used in this Order have the meanings given them in Section 4 below or elsewhere in this Order.

c. Continuing Severe Health and Safety Risk Posed by COVID-19. This Order is issued based on evidence of continued widespread community transmission of COVID-19 within the County, throughout the Bay Area, across California, and across the United States; evidence that most COVID-19 infections are caused by people who have no symptoms at all of illness; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, including broad distribution of effective vaccinations throughout the community; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes including death. Due to the outbreak of COVID-19 in the general public, which is a pandemic according to the World Health Organization, there is a public health emergency throughout the County, region, State, and nation. That immediate threat to public health and safety is also reflected in the continuing declarations of emergency referenced in Section 5 below. There is also concern that new variants of the virus detected recently, such as those found in the United Kingdom, South Africa, Colorado and other states, and Southern California among other varied geographic locations worldwide, are spreading, and this Order will help protect against that spread.

d. Cases, Hospitalizations, and Deaths. As of February 12, 2021, there were 10,561 cumulative confirmed cases of COVID-19 in the County as well as at least 153 deaths. As of February 12, 2021, Marin County is averaging 32 new COVID-19 positive cases per day. This information, as well as information regarding hospitalizations and hospital capacity, is regularly updated on the Marin County Department of Public Health's website at <https://coronavirus.marinhhs.org/surveillance> and incorporated into this Order by this reference.

2. Vaccination Plan Requirements

No later than February 16, 2021, all Large Healthcare Providers (as defined in Section 4 below) must provide a written vaccination plan to the Health Officer describing how the Large Healthcare Provider will timely and effectively vaccinate its primary care or, if applicable, specialty care patients in the County and how the Large Healthcare Provider will timely and effectively contribute to the shared goal of vaccinating all people who live or work in the County, regardless of their insurer. Plans must account for both current and maximal vaccine supply conditions. A template plan is included as Appendix A. The vaccination plan must at a minimum include all of the following elements:

- a. A list of all vaccination sites that the entity is operating or plans to operate, as well as any mass vaccination or other jointly operated sites that the entity plans to participate in, and that together will provide reasonable and effective access to all of the entity's patients who live or work in the County;
- b. The capacity and schedule of daily vaccine appointments available at each currently operating vaccination site and the anticipated capacities and schedules of all planned vaccination sites, including a daily goal of administered vaccines;
- c. A description of methods the entity has used or will use to provide vaccinations to people who live or work in the County but are not part of the entity's primary care patient population;
- d. A communication and appointment scheduling plan, describing (1) how the entity will communicate with all of its primary care patients (and, if applicable, specialty care patients) about the availability of vaccination through the entity when it becomes available, (2) how the entity will schedule and keep appointments, including appointments for second doses;
- e. A description of how the entity will ensure equitable access to vaccinations across patient populations, including how the entity will reach out to and vaccinate harder-to-serve patient populations using culturally and linguistically competent methods;
- f. Methods for mitigating any vaccination disuse;

The comprehensive plan required by this Section 2 must be submitted via email to covid19vaccineHCP@marincounty.org with "Healthcare Provider Vaccine Plan" in the subject line, and the plan must be updated upon request by the Health Officer or the Health Officer's designee.

3. Vaccine Data Reporting Requirements

- a. Each Vaccine Provider in the County must complete the [COVID-19 Vaccine Allocation and Distribution Survey](#) and submit to the Health Officer on a weekly basis.
- b. Each Vaccine Provider in the County must continue to fully report all information relating to COVID-19 vaccination that the State of California requires, including reporting to the California Immunization Registry ("CAIR"). If (1) a Vaccine Provider fails or is unable to fully report all required information to CAIR, (2) the Health Officer is unable to timely access or validate complete data from CAIR or the California Department of Public Health, or (3) the Health Officer requires additional information from any Vaccine Provider to facilitate the vaccination of people who live or work in the County, that Vaccine Provider must make available to the Health Officer all Vaccine Information (as defined in Section 4 below) that the Health Officer requires and in the manner and on the timeline directed by the Health Officer.

4. Definitions

For purposes of this Order, the following initially capitalized terms have the meanings given below.

a. ***Vaccine Information.*** “Vaccine Information” means information related to COVID-19 vaccination as requested by the Health Officer or his designee. Such information includes, but is not limited to, vaccine doses received, vaccine expiration dates, vaccines administered (by date, type, lot number, first/second dose, etc.), appointments for vaccination scheduled for the next seven days, maximum daily capacity to vaccinate per day, vaccines on hand, any vaccine doses wasted, and any other vaccination-related information requested by the Health Officer.

b. ***Vaccine Provider.*** “Vaccine Provider” means any person or entity providing COVID-19 vaccinations in the County, including, but not limited to, Large Healthcare Providers and other health care providers and pharmacies.

c. ***Multi County Entity.*** “Multi County Entity” means any entity within the County that the State of California has designated as a multi county entity for COVID-19 vaccination purposes.

d. ***Large Healthcare Provider.*** “Large Healthcare Provider” means any (1) general acute care hospital in the County whose average inpatient population is made up of greater than 70% acute care admissions or (2) Multi County Entity or healthcare system that provides primary care services in the County and has, regardless of type of service, more than 100,000 patients.

5. Incorporation of State and Local Emergency Proclamations and State Health Orders

a. **State and Local Emergency Proclamations.** This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom, the March 3, 2020 Declarations of Local Emergency issued by the Marin County Public Health Officer and Assistant Director of Emergency Services, the ratification of the Local Emergency issued by the Marin County Board of Supervisors on March 10, 2020, and COVID-19-related guidance issued by the California Department of Public Health, as each of them have been and may be supplemented in the future.

b. **State Health Orders.** This Order is also issued in light of the orders of the State Public Health Officer and the Governor and other State guidelines related to the pandemic and the State’s response to the pandemic, including, but not limited to, guidelines of the California Department of Public Health for allocating COVID-19 vaccines.

c. **Health Officer Orders and Directives.** This Order is also issued in light of other orders and directives issued by the Health Officer as they relate to the pandemic and the County’s response to the pandemic. Those orders and directives show the seriousness of the issue and the many efforts that the County, including but not limited to the Department of Public Health, have taken to address the spread of COVID-19 within the County. This Order incorporates by reference and is based in part on each of the other

orders and directives issued by the Health Officer to this point, including as each of them may be updated in the future.

6. Enforcement

Under Government Code section 26602 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff of the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.

7. Effective Date

This Order becomes effective immediately upon issuance and will continue in effect (as it may be updated) until the Health Officer rescinds, supersedes, or amends it in writing.

8. Copies

Copies of this Order shall promptly be: (1) made available at the Bulletin Board adjacent to the entrance to the Chambers of the Board of Supervisors, Room 330, Administration Building, and in the display case in the center arch of the Hall of Justice, Marin County Civic Center, San Rafael, California; (2) posted on the County of Marin website (www.marincounty.org) as well as the County of Marin Department of Health and Human Services website (www.marinhhs.org); and (3) provided to any member of the public requesting a copy of this Order.

9. Severability

If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read 'Matthew Willis', with a long horizontal line extending to the right.

Matthew Willis, MD, MPH, Date: February 12, 2021
Health Officer of the County of Marin

Appendix A:

COVID Vaccination Plan Template

Please complete the below plan template regarding your organization's plan for providing COVID-19 vaccination:

COMPLETE THIS FORM BY FEBRUARY 16, 2021 AND RETURN IT TO:
covid19vaccineHCP@marincounty.org

Organization:

Name of person completing this form:

Email address of person completing form:

Phone # through which this person may be reached during business hours:

THE DATA BELOW IS OUR BEST ESTIMATE AS OF (date):

1. How many patients under the care of your organization remain to be vaccinated approximately (assuming 100% acceptance)?
2. How many daily vaccinations are required to vaccinate 100% of your total remaining patients from Feb. 15, 2021 to June 31, 2021?
3. What is the current daily average of vaccines administered to patients per day by your organization (use week of February 8)?
4. What vaccination sites is your organization currently running, including location, hours of operations and approximate average daily doses administered?
5. Is your organization interested in participating in any centralized mass vaccination sites established under Marin County Public Health (Currently operating at the Marin Center and Marin Health and Wellness Campus) (yes/no)?
6. What is the anticipated daily number of staffed vaccination lines/cells your organization can contribute to the mass vaccination site (assuming adequate vaccine supply)? Typical

staffing for one line within centralized site includes a) Vaccine coordinator b) Greeter c) Registrar d) Vaccinator(s) e) care navigators(s), n<8

7. What is the anticipated daily vaccination throughput per staffed line/cell described above?
8. What is the anticipated number of days per week (assuming one 8-hour shift) the staffed lines/cells described above can be contributed to mass vaccination?
9. Would you be willing to join a shared registration system (e.g. MyTurn) for vaccinations offered to all who live or work in Marin to find appointments across providers in Marin County, including mass vaccination sites (yes/no)?
10. For vaccination efforts that are internal only (i.e. not associated with a centralized mass vaccination efforts), please answer the following:
 - a. How many total daily vaccinations could be administered by your organization alone (assume adequate vaccination supply)?
 - b. Describe your communication and appointment scheduling process, including (1) how you communicate with your patients about the availability of appointments, (2) how you schedule appointments, including appointments for second doses;
 - c. Describe the methods your organization uses to provide vaccinations to people who live or work in the County but are not part of your primary care patient population;
 - d. Describe how you will ensure equitable access to vaccinations across patient populations, including how you will reach out to and vaccinate harder-to-serve patient populations using culturally and linguistically competent methods;
 - e. Describe your methods for mitigating any vaccination disuse including end-of-day procedures for identifying candidates for any surplus doses that have been drawn;
 - f. Describe the methods your organization will employ, through outreach and on-site verification, to ensure compliance with federal and state regulations for vaccine eligibility in each tier for those vaccinated at your facility.