



To All Doctors of Podiatric Medicine:

The Governor signed some final bills before this session concluded. Included in these bills was AB 526 which authorizes a licensed dentist or podiatrist to independently prescribe and administer COVID-19 and influenza (flu) vaccines that are approved by the United States Food and Drug Administration (FDA) for persons three years of age or older. This bill will also add dentists and pharmacists-in-charge to the list of professions allowed to serve as “laboratory directors,” and allow them to perform certain low risk tests, such as those for COVID-19. This bill contains an urgency statute so it will go into immediate effect. AB 526 has been codified in our practice act as follows:

**Section 2473 is added to the Business and Professions Code, to read:**

(a) A doctor of podiatric medicine may independently prescribe and administer influenza and COVID-19 vaccines approved or authorized by the United States Food and Drug Administration in compliance with the individual federal Advisory Committee on Immunization Practices (ACIP) influenza and COVID-19 vaccine recommendations, and published by the federal Centers for Disease Control and Prevention (CDC) to persons three years of age or older.

(b) In order to prescribe and administer a vaccine described in subdivision (a), a doctor of podiatric medicine shall do all of the following:

(1) Complete an immunization training program biennially that is either offered by the CDC or taken through a registered provider approved by the board that, at a minimum, includes vaccine administration, prevention and management of adverse reactions, and maintenance of vaccine records.

(2) Comply with all state and federal recordkeeping and reporting requirements, including providing documentation to the patient’s primary care provider, if applicable, and entering in the information in the appropriate immunization registry designated by the Immunization Branch of the State Department of Public Health.

(c) The board may adopt regulations to implement this section. The adoption, amendment, repeal, or readoption of a regulation authorized by this section is deemed to address an emergency, for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the board is hereby exempted for this purpose from the requirements of subdivision (b) of Section 11346.1 of the Government Code. For purposes of subdivision (e) of Section 11346.1 of the Government Code, the 180-day period, as applicable to the effective period of an emergency regulatory action and submission of specified materials to the Office of Administrative Law, is hereby extended to 240 days.

**Section 2496.5 is added to the Business and Professions Code, to read:**

Any vaccine training program provided through the federal Centers for Disease Control and Prevention, including courses that were completed by a licensed doctor of podiatric medicine on or after January 4, 2021, pursuant to the Department of Consumer Affairs public health emergency order DCA-21-115, or any subsequent waivers that supersede this waiver, and Section 2473 shall count toward the fulfillment of the continuing education requirements governed by Section 2496.