



August 5, 2021

## COVID-19 REGULATORY SUSPENSIONS AND WAIVERS THAT WILL EXPIRE ON SEPTEMBER 30, 2021

Act 21 of 2021 was signed into law by Governor Wolf on June 11, 2021. It provides in pertinent part:

Section 2102-F. Temporary regulatory flexibility authority.

(a) Extension.--The suspension of a regulatory statute prescribing the procedures for conduct of Commonwealth business, or an order, rule or regulation of a Commonwealth agency which was suspended under 35 Pa.C.S. § 7301(f)(1) (relating to general authority of Governor) as of the last day that the order, as amended and renewed, was in effect is extended until September 30, 2021, unless sooner terminated by the authority which initially authorized the suspension.

Pursuant to the March 26, 2020 declaration of disaster emergency relating to COVID-19, the Department of State requested, and the Governor approved, nearly 100 temporary suspensions/waivers. See <https://www.dos.pa.gov/Pages/COVID-19-Waivers.aspx>. Many of these waivers have already expired, while others are set to expire on August 17, August 31 or September 15, 2021.

Pursuant to Act 21, all remaining waivers of the Department will expire on September 30, 2021.

### The following waivers will expire on **SEPTEMBER 30, 2021**:

- **Out-of-State Health Care Practitioners**: This waiver allows for the issuance of expedited temporary licenses to practitioners in other states to provide services to Pennsylvanians. The suspension applies to the State Board of Medicine, the State Board of Osteopathic Medicine, and the State Board of Nursing.
- **Medical Doctors and the number of institutions with which they can be affiliated**: This waiver suspends the institutional-license requirements that limit qualified medical doctors to practice at no more than two affiliated facilities.
- **Certified Nurse Midwives**: This waiver suspends requirements related to the initial submission of collaborative agreements and changes to existing agreements and suspends requirements for Certified Nurse-Midwives with Prescriptive Authority.

- [Physician Assistants](#): This waiver allows physician assistants under the State Board of Osteopathic Medicine and the State Board of Medicine to assist with COVID-19 emergency response efforts more easily and effectively by suspending requirements pertaining to written agreements and several other items.
- [State Board of Nursing licensees](#): This waiver permits Certified Registered Nurse Practitioners (CRNPs) who have collaborative agreements with physicians in a hospital or health system to collaborate with other collaborating physician(s) within the same hospital or health system without written and signed collaborative agreements. Also, this waiver permits CRNPs to collaborate with physicians from other states. Additionally, this waiver allows a Certified Registered Nurse Anesthetist to administer anesthesia in cooperation with a physician rather than a surgeon.
- [Certified Registered Nurse Practitioners \(CRNPs\)](#): This waiver permits CRNPs to practice outside of their specific clinical specialty, and to prescribe drugs related to the COVID-19 pandemic outside of the established formulary.
- [Pharmacy Practitioners and Pharmacies in Other States](#): This waiver grants a suspension of certain licensure requirements to allow expedited temporary licensure to pharmacy practitioners and pharmacies in other states to provide goods and services to Pennsylvanians.
- [Court Reporters](#): This waiver suspends the requirement for physical presence of notaries who are court reporters/stenographers participating in criminal, civil and administrative proceedings.
- [Certified Public Accountants, Licensed Respiratory Therapists, Massage Therapists, Optometrists, Licensed Osteopathic Respiratory Therapists, Podiatrists, Veterinarians, Dentists, Dental Hygienists, Expanded Function Dental Assistants, Psychologists, Licensed Social Workers, Clinical Social Workers, Marriage and Family Therapists, and Professional Counselors](#): This waiver suspends restrictions that limit the ability of licensees to take classes online or participate in distance-learning opportunities for the current biennial renewal period to permit all licensees to complete their continuing education online during the COVID-19 pandemic.
- [Pharmacy Related Waivers](#): The sections of this waiver that will expire on September 30, 2021 include the suspension of the restrictive definition of “satellite pharmacy” which allowed ancillary sites during the COVID-19 emergency to be considered “satellite pharmacies”, the suspension of the statutory emergency prescription section to allow pharmacists to issue a 30-day supply for an emergency script as opposed to a 72-hour supply only for nonscheduled legend drugs and schedule V controlled substances, and allowing pharmacists to dispense a 90-day supply of a medication (nonscheduled legend drugs) at one time by using the refills on the medication.
- [Cosmetology Apprentices](#): This waiver suspends the 25 hours-per-week minimum requirement for individuals attempting to complete the necessary training hours

for their cosmetology apprentice program.

- [Physicians providing Prescriptions](#): This waiver suspends a State Board of Medicine regulation requiring physicians to provide paper prescriptions within 72 hours of issuing an emergency prescription by telephone.
- [Pharmacists administering Influenza Vaccinations](#): This waiver allows pharmacists who are already authorized to administer the flu vaccine to administer any licensed, age-appropriate influenza vaccine to individuals 3 years of age or older.
- [Pharmacy Interns administering Vaccinations](#): This waiver allows pharmacy interns to administer any age-appropriate influenza vaccination to children 3 years of age and older and administer COVID-19 vaccinations to persons who are at least 18 years of age, but only under the direct supervision of a licensed pharmacist who holds an active authorization to administer injectable medications.
- [Eligible Supervisors for COVID-19 Vaccinations](#): This waiver broadens the definition of eligible supervisors to include other licensed and trained healthcare professionals whose current scope of practice allows them to immunize, thereby making it possible for pharmacy interns to administer COVID-19 vaccinations under the direct, immediate and personal supervision of a pharmacist OR certain other health care practitioners (such as physicians and surgeons, physician assistants, nurse-midwives, registered nurses and certified registered nurse practitioners).
- [Nursing Students administering COVID-19 Vaccinations](#): This waiver permits nursing students who have expertise in the technical details of administering vaccines to serve as technicians, separate and apart from their clinical placements but without being licensed, to administer influenza and COVID-19 vaccines with supervision by a licensed healthcare practitioner.
- [Licensees attempting to meet Continuing Education Requirements entirely through Online Learning or Distance Education](#): This waiver permits licensees to satisfy up to 100 percent of their CE requirements for their next renewal with hours obtained entirely through online courses from providers of distance education that meet the applicable board's continuing education requirements.
- [Pharmacists administering COVID-19 Vaccinations](#): This waiver allows a pharmacist who holds a valid Authorization to Administer Injectables to order and administer a COVID-19 vaccine without the need for an order from a licensed prescriber or a protocol approved/authorized by a physician or the medical staff of an institution; provided that any COVID-19 vaccine administration is performed in accordance with the applicable Emergency Use Authorization.
- [Traveling Vaccinators](#): This waiver allows out-of-state healthcare providers to administer the COVID-19 vaccine in Pennsylvania.
- [Retired Physicians and Nurses and other Healthcare Professionals administering](#)

[COVID-19 Vaccinations](#): This waiver allows some retired physicians, nurses, and other healthcare professionals to administer the COVID-19 Vaccine.

- [Allowing Qualified Pennsylvania Vaccinators to administer COVID-19 Vaccine to 16 & 17-Year-Olds and 12 to 15-Year-Olds](#): This waiver allows qualified Pennsylvania vaccinators to administer COVID-19 Vaccine to 16 & 17-Year-Olds, as well as 12 to 15-Year-Olds.
- [Volunteers administering the COVID-19 Vaccination](#): This waiver allows licensed volunteers under the State Board of Medicine, the State Board of Osteopathic Medicine, and the State Board of Nursing to administer vaccinations in settings that fall outside the definition of "approved clinic," including community-based, primary-care clinics and clinics in medically underserved areas.
- [Clinical Clerks administering COVID-19 Vaccinations](#): This waiver allows clinical clerks licensed under the State Board of Medicine and the State Board of Osteopathic Medicine to assist in administering COVID-19 vaccinations across Pennsylvania, rather than just in the hospitals to which they have been assigned.
- [Graduate Medical Trainees administering COVID-19 Vaccinations](#): This waiver increases the ability of Graduate Medical Trainees under the State Board of Medicine and the State Board of Osteopathic Medicine to administer the COVID-19 vaccination at various location through Pennsylvania, rather than their assigned medical training facility.
- [Pharmacists delegating authority to administer COVID-19 Vaccinations](#): This waiver allows pharmacists to delegate the authority to administer COVID-19 vaccines to other licensed health care practitioners whose scope of practice includes the administration of injectable vaccines, or who have otherwise been authorized or made eligible to administer COVID-19 vaccinations by way of federal or state government action including but not limited to the PREP Act Declaration and its amendments.
- [Out-of-State Osteopathic Physicians](#): This waiver suspended the practical examination requirement for out-of-state Osteopathic Physicians applying for licensure by endorsement.
- [Certified Nurse Midwives, Dentists, Dental students, Optometrists, Optometry students, Physician Assistants, Physician Assistant students, Podiatrists, Podiatry students, Respiratory Therapists, Respiratory Therapy students, Veterinarians, Veterinary students that may administer COVID-19 vaccines](#): This waiver allowed a number of professions that would not otherwise be able to administer COVID vaccines to participate n COVID-19 vaccination programs.
- [BPOA Board Members and Physical Attendance at Meetings](#): This waiver suspends the requirements related to physical presence for BPOA (Bureau of Professional and Occupational Affairs) Board meetings.
- [Licensed Health Care Practitioners providing Telemedicine Services](#): This waiver allows health care professionals licensed under any of the Department of State's

BPOA licensing boards to provide services to patients via telemedicine during the coronavirus emergency.

- [Physician Assistants assisting with emergency response efforts](#): This waiver suspends the statute allowing for supervision of no more than 4 Physician Assistants (PA) by a Physician. It also suspends the requirement that all physicians with whom a physician assistant is assisting be named on the written agreement as well as regulations that require contact information for at least two substitute supervising physicians. Further, suspension of the requirement that written agreements receive board approval and suspension of the requirement that temporary authorization to practice be issued for up to 120 days upon board receipt of a complete written agreement.
- [State Board of Psychology & State Board of Social Workers; In-Person Supervision](#): This waiver suspends the requirement that supervisors meet individually face- to-face with psychology residents for an average supervisory total of at least 2 hours per week and suspends the requirements of the State Board of Social Work, Marriage and Family Therapy and Professional Counselors that the supervisor, or one to whom supervisory responsibilities have been delegated, must meet with the supervisee for a minimum of 2 hours for every 40 hours of supervised clinical experience.
- [Licensed Professionals such as Certified Public Accountants, Licensed Respiratory Therapists, Massage Therapists, Optometrists, Licensed Osteopathic Respiratory Therapists, Podiatrists, Veterinarians, Dentists, Dental Hygienists, Expanded Function Dental Assistants, Psychologists, Licensed Social Workers, Clinical Social Workers, Marriage and Family Therapists, and Professional Counselors; RE: Permissible Amount of Online CEs](#): This waiver suspends restrictions that limit the ability of licensees to take classes online or participate in distance-learning opportunities for the current biennial renewal period to permit all licensees to complete their continuing education online during the COVID-19 pandemic.
- [Individuals seeking licensure as Psychologists, Social Workers, Marriage and Family Therapists and Professional Counselors](#): This waiver allows individuals who are receiving supervision for clinical experience to provide teletherapy services so long as they are receiving supervision from a supervisor who complies with all required regulatory requirements.
- [Osteopathic Physicians and Surgeons Licensed in Other States seeking Short Term Licensure in PA during the COVID-19 Emergency](#): This waiver utilizes the existing 'short-term camp license' and waives requirements that streamlines the process for those seeking emergency issuance of license.
- [State Board of Nursing Licensees](#): This waiver allows CRNPs to collaborate with other physicians without sign collaborative agreements and with physicians from other states. It also waives (1) the requirement for the English language proficiency testing requirements for RNs, (2) the required 1,500 hours of education for PN licensure, (3) the requirement for CRNAs to administer anesthesia in cooperation with a surgeon, (4) the need for board approval for

CRNA graduates to practice, and (5) requirement to demonstrate educational equivalency for CNSs.

- [Supervision Requirements for Physical Therapists, Occupational Therapists, Speech Language Pathologists and Audiologists](#): This waiver suspends all statutory and regulatory requirements for licensees of the previously named Boards that call for direct supervision or require contact/interaction that is “in-person,” “face-to-face,” “on-site,” “on the premises” or the like.
- [Real Estate Classes to be Livestreamed](#): This waiver allows approved providers of real estate education courses that have been approved for in-person instruction to livestream those courses to students.
- [Individuals working toward licensure as a behavior specialist via telemedicine or teletherapy](#): This waiver allows for hours of clinical experience obtained by individuals working toward licensure as a behavior specialist via telemedicine or teletherapy during the duration of the COVID-19 emergency be recognized as valid and counted towards the 1,000 hours of clinical experience.
- [Barbers satisfying their ‘theory course work’ requirement hours through distance education](#): This waiver expands distance education hours permitted for barbers.
- [Buprenorphine Treatment Via Telemedicine Expands Access to Treatment of Opioid Use Disorder](#): This waiver suspends the requirement that physician and surgeons must take an initial medical history and physical examination requirement to expand access to buprenorphine treatment to treat opioid use disorder.
- [Cosmetology Students satisfying their education hours requirement through distance education](#): This waiver expands distance education hours permitted for cosmetology students.
- [Cosmetology and Barber Licensure Through Career and Technical Education \(CTE\) PILOT PROGRAM](#): This pilot program provides additional opportunities for cosmetology and barber CTC students to earn educational hours and practical experience. It is also designed to allow CTC educators the flexibility necessary to assist these students in obtaining all the required education hours prior to their planned graduation date.
- [Registered and Practical Nurses](#):

This waiver extends Temporary Practice Permits issued to RNs and PNs applying for their Pennsylvania License by Endorsement on or before October 1, 2020.