



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Health Professions Licensure

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Circular Letter: DCP 16-12-664

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TO: Primary Care Providers

FROM: Monica Bharel, MD, MPH, Commissioner, Department of Public Health

CC: George Zachos, Executive Director, Board of Registration in Medicine

DATE: December 16, 2016

RE: Immunization Administration by Medical Assistants

The purpose of this Circular Letter is to inform primary care providers, including Physicians, Certified Nurse Practitioners (CNP), Certified Nurse Midwives (CNMs), and Physician Assistants (PAs) about a new law relating to the administration of immunizations by Certified Medical Assistants (CMAs), effective November 8, 2016.

Chapter 234 of the Acts of 2016 creates a new law, Massachusetts General Law Chapter 112, Section 265, that allows a primary care provider (PCP) acting within his or her designated scope of practice to delegate the administration of an immunization of a patient to a CMA who meets specified qualifications. The new law also updates Massachusetts General Law Chapter 94C (Controlled Substances Act) to recognize this new provision.

Under this section, a PCP is defined as a health care provider who is qualified to provide general medical care for common health care problems who:

- (1) supervises, coordinates, prescribes or otherwise provides or proposes health care services;
- (2) initiates referrals for specialist care; and
- (3) maintains continuity of care within the PCP's scope of practice.

This law permits a PCP to delegate the administration of an immunization to a CMA only while the PCP is present in the facility and immediately available to assist and direct the CMA. This oversight does not require a PCP to be present in the room when the procedure is performed.

The PCP may delegate the administration of immunizations to a CMA who:

- (1) has graduated from a post-secondary medical assisting education program accredited by the committee on allied health education and accreditation of the American Medical

- Association, the Accrediting Bureau of Health Education Schools or another certificate program that the commissioner of public health may approve;
- (2) is employed in the clinical practice of a licensed primary care provider; and
 - (3) performs basic administrative, clerical, and clinical duties upon the specific authorization and under the direct supervision of a licensed primary care provider.

The new law requires the Department to promulgate regulations governing administration of immunizations by a CMA. This circular letter provides guidance on how the Department interprets and will enforce the new law until such time as regulations are promulgated in accordance with the State Administrative Procedure Act, M.G.L. c. 30A.

Please note that PCPs will be held to existing statutory and regulatory provisions governing their respective scope of practice and the administration of immunizations when delegating the administration of immunizations under the new law. Nothing in this law permits a PCP to exceed their scope of practice to assess, diagnose, prescribe for, and treat patients as set forth in 243 CMR 2.00 for physicians, as set forth in 244 CMR 4.00 for CNPs and CNMs, and as set forth in 263 CMR 5.00 for PAs. Rather, the new law authorizes a PCP, who would be acting within his or her existing scope of practice to prescribe and personally administer an immunization to a patient, to delegate that administration to a qualified CMA. Failure of PCPs to comply with regulations governing their existing scope of practice and the new law may be grounds for discipline against the PCP's professional license.

Please note that PCPs who delegate administration of immunizations are required to report immunization administration data to the [Massachusetts Immunization Information System \(MIIS\)](#) to ensure compliance with 105 CMR 222.000.

The new law does not require a PCP to delegate administration of an immunization, but sets minimum standards that apply in those instances where a PCP elects to do so. A PCP may further limit the circumstances in which he or she chooses to delegate immunization administration to a CMA and may choose not to delegate immunization administration at all. Providers may refer patients to the following website, where additional information regarding the administration of immunizations, is available:

<http://www.mass.gov/eohhs/gov/departments/dph/programs/id/immunization/>

Questions or concerns regarding this information should be directed to the applicable Board:
Board of Registration in Nursing: nursing.admin@state.ma.us
Board of Registration in Physician Assistants: multiboard.admin@state.ma.us
Board of Registration in Medicine: borim.info@state.ma.us