



On the Alert!

Date: January 13, 2021

Attention: ASCIP Members

Affected: All School Facilities

Applicability: K-12, Community Colleges & Charter Schools

EMERGENCY COVID-19 VACCINE POINT OF DISTRIBUTION LOCATIONS

ASCIP is aware that regional county health departments are contacting schools to inquire if there is an interest in hosting COVID-19 vaccine distributions.



The ASCIP Memorandum of Coverage (MOC) does not exclude our members from allowing the use of member property and their trained nursing staff to administer the COVID-19 vaccines to staff and possibly members of the general public. However, coverage is excluded for "actual or alleged transmission, spread or failure to prevent, suppress, or remove a communicable disease". Therefore, members may want to evaluate the financial, safety, and health risks to its organization and staff. The following should be considered before making a decision:

- A liability waiver should be signed by all individuals prior to obtaining the vaccine.
- The usual health department waivers often contain language that does not protect the schools and colleges, as well as their staff.

- As vaccines are to be given to staff and possibly members of the general public, the member will be increasing its liability exposure should someone allege they became sick or injured due to the member's negligence.
- Is there adequate space and equipment to store the vaccines until ready for use?
- Who would be responsible if the vaccines are somehow damaged or accidentally destroyed, not due to member's negligence? There will be many clarifying questions that should be addressed in an agreement with the City or Department of Public Health if the general public is to be included for participation.
- Would the member need to purchase additional PPE (personal protective equipment) for its staff to administer these vaccines?
- Would the member need to hire additional staff or security depending on the model chosen?
- How far away is the nearest emergency medical transport location should an emergency arise?
- Injuries to member employees receiving the vaccine as an employment requirement are covered under workers' compensation.

If considering the use of nursing students for vaccine administration, they would be covered under the liability MOC only if administering vaccines on campus is part of their learning curriculum.

ASCIP recommends that members consider the cost and risks, along with the potential benefits to the organization when considering hosting a COVID-19 Vaccine location. If the member moves forward, the concerns above should be addressed through a written agreement to transfer the associated risks. At a minimum, agreements should consider: vaccine storage and handling; vaccine administration, training and responsibilities; and liability protections for the member and its staff.

Please contact your ASCIP Risk Services Consultant or our Risk Services team at RM_Info@ascip.org for questions or to discuss further.