

COVID-19 Public Health Response (Required Testing and Vaccinations) Amendment Order 2021

The [COVID-19 Public Health Response \(Vaccinations\) Order 2021](#) has been amended with effect from 11.59 pm, 7 November 2021. Please read the full Order (once amended). The Amendment can be found [here](#).

Amendments likely to affect osteopaths directly are:

- **Clause 7 Duty of affected person not to carry out certain work**

An affected person must not carry out certain work unless they are –

- a. Vaccinated; or
- b. An exempt person (which means a person who has a COVID-19 vaccination exemption).

The definition of the groups who are ‘affected persons’ has been amended so health practitioners are included only if they are “*providing health services to patients in person.*” Therefore, the Order now only relates to those osteopaths who are working with patients by meeting with them rather than through consultations conducted on the phone, e-mail, or by teleconference. If you are registered and non-practising you are also not an ‘affected person’ under this amended Order.

- **Revoke clause 7A**, which formerly enabled an affected person to carry out certain work without being vaccinated if a suitably qualified health practitioner determined it would be inappropriate for the affected person to receive a COVID-19 vaccination because of their physical or other needs. From now, **the only valid COVID-19 vaccination exemption is a COVID-19 vaccination exemption granted by the Director-General under clause 9B**. Exemptions previously given under clause 7A are no longer effective (with a limited exception under which existing clause 7A exemptions for affected persons belonging to a group specified in Parts 6 or 8 of the table in Schedule 2 continue until 21 November 2021 or until an application made on their behalf under clause 9B is declined, if earlier). This provides border workers who handle affected items and corrections workers who had an exemption under the clause 7A process with a short transitional period to get vaccinated or to apply for an exemption under clause 9B.
- **A new clause 9B** enables a suitably qualified **medical practitioner or nurse practitioner** to apply to the Director-General of Health on behalf of an affected person for a temporary exemption from the requirement to be vaccinated on the ground that they meet the specified COVID-19 vaccination exemption criteria.

In summary, key changes for osteopaths are:

- only osteopaths providing health services to patients in person are ‘affected persons’ who must either be vaccinated or obtain a vaccination exemption under the Order – i.e., non-practising osteopaths

and osteopaths who do not provide services to patients or who provide services to patients only via telehealth are not included in the vaccination mandate

- osteopaths are not permitted to issue COVID-19 vaccination exemptions
- COVID-19 vaccination exemptions previously granted under clause 7A are no longer valid, with limited temporary exceptions.

Disclaimer

Please note, the above statement sets out the Osteopathic Council's understanding of the likely impact of the amendment to the Order on osteopaths. The amendment and the Order are made by the Ministry of Health, not the Council. For definitive advice, or should you have any questions regarding these Orders, please contact the Ministry of Health: healthorders@health.govt.nz