

BEFORE THE IOWA DEPARTMENT OF PUBLIC HEALTH

ANTIVIRAL SHORTAGE ORDER

Pursuant to the authority contained in Iowa Code sections 135.142 and 135.144(3), the Iowa Department of Public Health hereby issues the following order:

Public Health Disaster Declared: The Governor of the State of Iowa issued a proclamation of disaster emergency and public health disaster on May 1, 2009, in response to the outbreak of Novel Influenza A (H1N1) in the state of Iowa. The outbreak has resulted in a statewide and regional shortage of tamiflu (oseltamivir phosphate) and relenza (zanamivir). The Iowa Department of Public Health is therefore authorized to control, restrict, and regulate by rationing and using quotas, prohibitions of shipments, allocation, or other means the use, sale, dispensing, distribution, or transportation of tamiflu (oseltamivir phosphate) and relenza (zanamivir).

Order issued to: All Iowa licensed health care providers, hospitals, clinics, pharmacies, local boards of health, public health agencies, and [insert any other applicable groups]

Conditions of Order: Due to the current shortage of tamiflu (oseltamivir phosphate) and relenza (zanamivir) in the state of Iowa, you are hereby ordered to immediately comply with the following to protect the public health and prevent and control the spread of Novel Influenza A (H1N1):

1) You shall CEASE offering, dispensing, distributing, or administering tamiflu (oseltamivir phosphate) and relenza (zanamivir) to anyone who is not in a priority designation. Individuals in a priority designation include:

[insert priority list]

You are prohibited from offering, dispensing, distributing, and administering tamiflu (oseltamivir phosphate) and relenza (zanamivir) to any person who is not included in a priority designation.

2) You shall cooperate with the Iowa Department of Public Health and local boards of health or health departments to assess and monitor the antiviral supply and coordinate the administration of these antivirals to persons in priority designations.

3) You shall cooperate with the Iowa Department of Public Health and local boards of health and health departments to redistribute the antivirals as needed in order to protect those at highest risk of contracting or developing severe symptoms of Novel Influenza A (H1N1).

4) You shall prominently post this Order in locations where these antivirals are administered.

Violation of Order: Pursuant to Iowa Code section 135.38, an individual who violates this Order may be subject to criminal prosecution.

In addition, health care providers who violate this Order shall be referred to the appropriate professional licensing board for investigation and possible disciplinary action.

If you have any questions regarding this Order, please call [insert phone number].

Effective date of order: [insert dates]

Executed by:

Director or Medical Director
Iowa Department of Public Health

Date