



ACT
Government

ACT Health

ACT COVID-19 Vaccination Exemption Policy

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ISSUED BY:

ACT CHIEF HEALTH OFFICER

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Introduction

A Public Health Emergency has been declared in the ACT to combat coronavirus (COVID-19), providing the Chief Health Officer with additional powers to take any action necessary to contain the spread of COVID-19.

The Chief Health Officer has implemented a number of Public Health Emergency Directions in response to the risk of COVID-19, including the requirement for workers in specific settings to be vaccinated for COVID-19. Visitors to residential aged care facilities must also be vaccinated for COVID-19 unless visiting for end of life reasons.

The ACT Government's COVID-19 Vaccination Program commenced in February 2021 and is guided by the Commonwealth Government's National COVID-19 Vaccination Policy and the National Plan to transition Australia's National COVID-19 Response.

The ACT has achieved high COVID-19 vaccination coverage across the total eligible population, however ensuring very high vaccination coverage is critical in high-risk settings to prevent outbreaks in these settings and protect vulnerable community members from the risk of COVID-19. These settings include hospitals and health care settings, aged care facilities, settings where disability support is provided, and early childhood and education settings, particularly primary schools, to help to protect children under the age of 12 years who are currently ineligible for vaccination.

Where the Chief Health Officer has issued a Public Health Direction requiring a worker or visitor to be vaccinated against COVID-19, there may be occasions or exceptional circumstances whereby an individual is unable to fulfil the requirement to be vaccinated.

Exemptions will not be considered for individuals who hold a conscientious objection to the COVID-19 vaccination, and who refuse to get vaccinated on these grounds.

Application

The ACT COVID-19 Vaccination Exemption Policy applies to persons covered under the relevant COVID-19 Vaccination Public Health Direction. Each Direction provides that:

- The Chief Health Officer (or their delegate) may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from the Direction.
- The Chief Health Officer (or their delegate) may provide an exemption from the Direction to:
 - a person who is unable, due to a medical contraindication, to receive a COVID-19 vaccination; or
 - a person for whom a COVID-19 vaccination is not reasonably available.
- If the Chief Health Officer (or their delegate) exempts a person from the Direction, or a stated requirement under this Direction, that person must comply with the conditions of the exemption.
- The Chief Health Officer (or their delegate) has the responsibility for receiving and issuing exemptions in each relevant facility.

Principles

If a worker (as defined by the Public Health Direction) in an organisation is unable to fulfil the requirement to receive the first or second dose of a COVID-19 vaccination before the specified date as outlined in the Direction, they are able to apply to the Chief Health Officer (or a delegate) for an exemption. A [COVID-19 Vaccine Medical Contraindication or Temporary Exemption Form](#) must be completed by an approved health professional and submitted by the worker to their employer for consideration by the Chief Health Officer (or their delegate).

Exemptions will only be considered for:

- a person who is unable, due to a medical contraindication, to receive any COVID-19 vaccination.
- a person for whom a COVID-19 vaccination is not reasonably available.
- other reasons as outlined in the criteria below.

If the exemption is required for a medical contraindication, Section A of the Form must be completed by an approved health professional. If an exemption is sought for a temporary medical exemption for up to 6 months, Section B of the form must be completed by an approved health professional.

Sections A and B of the form can only be completed by the following:

- General practice registrar on an approved 3GA training placement
- Paediatrician
- Public health physician
- Infectious disease physician
- Clinical immunologist
- General Practitioner who meets certain criteria:
 - Vocationally registered; OR
 - A fellow of the Royal Australian College of General Practitioners (RACGP); OR
 - A fellow of the Australian College of Rural and Remote Medicine (ACRRM).

Procedure

The Chief Executive or equivalent of an organisation affected by a COVID-19 Vaccination Public Health Direction is advised to write to all workers to advise them of the exemption process. A form letter is provided at [Attachment A](#) for use if required. The [COVID-19 Vaccine Medical Contraindication or Temporary Exemption Form](#) should be attached to the letter.

Workers should contact their direct line manager and make them aware if they wish to apply for an exemption.

Workers should complete the [COVID-19 Vaccine Medical Contraindication or Temporary Exemption Form](#), noting that Section A or B of the form must be completed by an approved health professional. Visitors seeking an exemption to visit a residential aged care facility must also complete the Form and submit it to the facility or organisation. Two people are permitted to enter a residential aged care facility to visit a resident if they are vaccinated. If they are visiting for end of life reasons, they are not required to be vaccinated.

Note: The Chief Health Officer may request that the number of approved exemption requests is reported to ACT Health. Reporting requirements will be communicated to organisations and facilities affected by these Directions.

Process for Submitting a Request for Vaccination Exemption

Workers should submit their completed [COVID-19 Vaccine Medical Contraindication or Temporary Exemption Form](#) to Chief Executive of organisation or their direct supervisor (depending on the approach of each individual workplace). Your workplace will be able to advise the appropriate process.

The Chief Health Officer delegates responsibility for issuing vaccination exemptions to individual Chief Executives or similar positions.

Visitors to residential aged care facilities seeking an exemption must submit the completed Form directly to the facility or organisation. Please seek clarification from the individual residential aged care facility regarding who is the appropriate person to provide your exemption form.

If approved, an exemption letter with any relevant conditions of exemption will be provided to the applicant.

If the Vaccination Exemption application is not approved, the applicant will be advised of the outcome.

Criteria

The exemption application must include a correctly completed [COVID-19 Vaccine Medical Contraindication or Temporary Exemption Form](#).

The exemption application must fall under one of the two exemption provisions in the Direction.

Medical Exemptions

There may be occasions or exceptional circumstances whereby an individual is unable to fulfil the requirement to receive a COVID-19 vaccination. There are very few situations where a vaccine is contraindicated, and as such medical exemptions are expected to be rarely required.

Examples of reasons to complete the ACT medical contraindication or temporary exemption to COVID-19 vaccination form include:

- a person who is unable, due to a medical contraindication, to receive any COVID-19 vaccination; or
- a person who has recently recovered from an acute COVID-19 infection and is choosing to defer their next COVID-19 vaccination for six months; or
- A person who has a medical reason that exempts them from COVID-19 vaccination for a temporary period

All temporary and permanent medical exemptions must be authorised by a medical practitioner and be in accordance with established [ATAGI clinical guidance](#) and [ATAGI Expanded guidance on temporary medical exemptions for COVID-19 vaccine](#).

Exemptions can also be considered if the applicant is unable to attend a COVID-19 Vaccine Appointment before commencing work due to being+:

- unwell with fever, cough, runny nose or other symptoms that could be from COVID-19
- are awaiting COVID-19 test results
- have tested positive with COVID-19 and are in isolation
- is currently in quarantine
- is required to commence work at short notice before having the opportunity to receive their first dose.
- has received a vaccination from an international jurisdiction which is not recognised in Australia, and as a result are unable to produce evidence from the Australian Immunisation Register.

+In the above scenarios, the Vaccination Exemption will be provided for a limited time period, noting that the person should not attend work during this time.

Vaccination Exemption Assessment Process for the Chief Health Officer or Delegate

The Chief Health Officer can delegate the function of granting an exemption to an organisation, reflecting the fact that they are responsible for work, health and safety measures within their organisation.

All applications are to be considered in accordance with the criteria outlined in this Policy and with any additional processes put in place by the organisation.

If exemption requests are to be approved, and dependent on the reason for the exemption, the organisation should consider whether the exemption should be granted for a certain period of time (e.g. a period of weeks or months). This would not be required if there are substantial medical contraindications.

The organisation should also consider whether any risk mitigation measures and controls are required to be implemented to manage workers who have been provided with an exemption. This will assist in managing the work health and safety of the broader workforce.

Further Information

A full list of Public Health Directions can be found at [ACT Public Health Directions - COVID-19](#).

Review

This policy is due for review 12 months from the last issued or reviewed date, or earlier where there are changes that affect the operation of the policy.

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Policy Number: 1	Feedback to: ACTHealthOCHO@act.gov.au
Issue Date: 18 October 2021	Review Date: 1

Approval Authority

Dr Kerryn Coleman
 ACT Chief Health Officer
 21 October 2021

Attachment A – Letter to workers

Dear (insert name)

The *Public Health (insert relevant name) Emergency Direction 2021* commenced on insert relevant date.

The purpose of the Direction is to limit the spread of coronavirus disease 2019 (COVID-19), caused by the novel coronavirus SARS-CoV-2 within a particularly vulnerable population by restricting access by unvaccinated workers.

More information on this can be found on the [ACT Government website](#). If you would like to read the Direction, you can find it on the ACT Government [ACT Public Health Directions page](#).

There may be occasions or exceptional circumstances whereby a worker is unable to fulfil the requirement to receive at least one dose of a COVID-19 vaccination before commencing work.

This could include:

- a person who is unable, due to a medical contraindication, to receive a COVID-19 vaccination
- a person for whom a COVID-19 vaccination is not reasonably available.

If you feel that your situation warrants an exemption, please do the following:

- Advise me if you require an exemption so that this organisation can provide a letter of acknowledgement.
- Complete the [Vaccination Exemption form](#), noting that if an exemption is required for a medical contraindication, Sections A and B can only be completed by the following health professionals:
 - General practice registrars on an approved 3GA training placement
 - Paediatricians
 - Public health physicians
 - Infectious disease physicians
 - Clinical immunologists
 - GPs who meet certain criteria:
 - i. Vocationally registered; OR
 - ii. A fellow of the Royal Australian College of General Practitioners (RACGP); OR
 - iii. A fellow of the Australian College of Rural and Remote Medicine (ACRRM).

Once completed, you should submit the completed Vaccination Exemption form to *(insert contact details for the organisation)* at least three days prior to being required.

Yours sincerely

(insert name)

Attachment B – Vaccination Exemption Application Form

Available at [COVID-19-vaccine-contraindication-or-temporary-exemption-form-21-October.pdf \(act.gov.au\)](https://www.act.gov.au/act-health-records/covid-19-vaccine-contraindication-or-temporary-exemption-form-21-october.pdf)

COVID-19 VACCINE MEDICAL CONTRAINDICATION OR TEMPORARY EXEMPTION FORM



To whom it may concern,

I am a registered medical practitioner. I certify that, Given name: _____

Family name: _____

DOB: ____/____/____

Sex: Male Female Prefer not to say

Residential address: _____

Section A – Medical contraindication

Has the following medical contraindication(s) to receiving a dose of any of the COVID-19 vaccines **available for use in Australia**:

Tick all that apply

Nb there must be a contraindication for both mRNA AND AstraZeneca (Vaxzevria)

Vaccine	Contraindication
mRNA vaccine > Pfizer (Comirnaty) > Moderna (Spikevax)	<input type="checkbox"/> anaphylaxis to a previous dose or to an ingredient of an mRNA vaccine <input type="checkbox"/> myocarditis and/or pericarditis attributed to a previous dose <input type="checkbox"/> other specified medical contraindication, in accordance with ATAGI clinical guidance, being _____

AND

AstraZeneca (Vaxzevria)	<input type="checkbox"/> anaphylaxis to a previous dose or to an ingredient of Vaxzevria <input type="checkbox"/> history of capillary leak syndrome <input type="checkbox"/> thrombosis with thrombocytopenia after a previous dose <input type="checkbox"/> other specified medical contraindication, in accordance with ATAGI clinical guidance being _____
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OR

Section B – Temporary medical exemption for up to 6 months²

Has the following temporary medical exemption to complete a course of vaccination with **any** of the COVID-19 vaccines **available for use in Australia** until ____/____/____ (up to 6 months)

- acute major illness as specified in ATAGI guidance, being: _____
- a serious adverse event attributed to a previous dose (noting ATAGI guidance)³, specify: _____
- past confirmed infection with SARS-CoV-2 within the last 6 months⁴. Date of laboratory test: ____/____/____
- other specified temporary medical exemption per ATAGI guidance, being: _____

Medical practitioner details

Name: _____

Telephone: _____

Address: _____

Email: _____

Registration Number: **MED000** _____

Date: ____/____/____

Signature (sign digitally in PDF or print and scan): _____



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ACT HEALTH DIRECTORATE