

ORDER TO ENSURE ACCESS TO ESSENTIAL MEDICINES AT PHARMACY AND ACCESS TO ESSENTIAL CARE (PHARMACY CONTINUITY)

WHEREAS, on [DATE], Governor [NAME] issued Executive Order No. [EO NUMBER] declaring a public health emergency due to the evolving nature and scope of the public health threat or other risks posed by COVID-19 and the actual and anticipated impacts associated with the same;

WHEREAS, [CODE] provides that the purpose of the [STATE] is to generally protect the health, safety and welfare of the public by regulating all aspects of the practice of pharmacy in the state, including the legal distribution of prescription drugs;

WHEREAS, the state finds that COVID-19 presents a threat to the public health unlike any presented in recent history;

WHEREAS, the need exists to *strengthen care capacity* and *ensure continuous access of medication*, [STATE] will provide maximum flexibility for pharmacies to work among other states to collaboratively address this crisis. This will address situations where some or all pharmacy stores or statewide personnel are impacted (e.g. ill with COVID-19, team absenteeism, childcare gaps), stores are closed for health and civil discord reasons and/or there is a surge in care et al.

NOW THEREFORE, for the reasons set forth above effectively and immediately the state hereby authorizes for the duration of the pandemic:

For the purposes of preparing for, responding to, and mitigating any effect of COVID-19, the provisions of [CODE], statute and rules promulgated thereunder, that if applied, would operate to limit distribution, dispensing, or administration of otherwise legitimate prescription drugs, vaccines authorized by FDA or medical devices in a manner that could hinder, prevent, or delay mitigation of any health-related condition are suspended for a period of 30 days, and automatically extended unless withdrawn during the pandemic. This paragraph does not affect any law governing distribution, dispensation, or administration of any controlled substance as that term is defined in [STATUTE].

Patient Care Access Solutions: Strengthen care capacity and efficiencies along with driving patients to appropriate alternative sites for minor care.

- Provide PPE to pharmacy personnel to engage in testing and direct patient care services related to COVID-19 beyond traditional dispensing of medications.
- Provide a broad declaration that authorizes pharmacists to autonomously provide all aspects of care for minor ailments and infectious diseases – including diagnostic testing – and preventive care along with evidence-based chronic care and chronic disease monitoring. This action aligns with responsibilities and duties of pharmacists

already performed in federal programs (VA, DOD, Prison System, Indian Health Service), and will alleviate significant burdens on the healthcare system to prevent worsening of chronic conditions and diseases; including but not limited to:

- Provide therapeutic alternatives as necessary when and if a spot shortage or product shortage occur;
 - Prescribe medical devices to support chronic care - spacers for inhalers, diabetes testing supplies, insulin supplies, etc.;
 - Initiate treatment and adjust medication therapy for minor ailments, like flu, strep throat, asthma et al;
 - Compound medications and hand sanitizing products.
- Waive all restrictive requirements that may prevent pharmacy personnel from directly supporting response for COVID-19 patients. Ensure pharmacies can initiate and dispense treatment for COVID-19 when such is developed, antivirals et al. Allow pharmacies to deliver all FDA approved vaccines, including novel COVID-19 vaccine(s) to all without limitation.

Pharmacy Continuity Solutions:

- Provide broad sweeping declarations (or waivers) to allow: pharmacy personnel to engage remotely in non-permitted, alternative locations (including homes); broad central fill capacity, technology and central databases, kiosks, telehealth, drive-thru, to be leveraged to the maximum extent; and temporary non-pharmacy sites to be quickly set up where needed (police and fire departments, non-pharmacy drive-thru locations, schools, outdoors, among others).
- Waive all restrictive and administratively burdensome pharmacy personnel requirements, permitting best professional judgment by healthcare professionals to prevail. Permitting pharmacy students and technicians to perform any delegated, non-discretionary tasks and administer vaccines, et al. Also, allow retired pharmacists, pharmacy technicians, and pharmacy academics to rejoin the workforce to respond to the crisis irrespective of outdated or missing state licensures, certifications, continuing education or accreditation, and related requirements.
- Waive all pharmacy-related re-certification, accreditation and training requirements for 6 months or the duration of the pandemic if longer, including CPR training et al. And, provide sufficient security, such as the National Guard, to keep pharmacy personnel safe and stores – including essential medicines and supplies – from being ransacked, and ensure equitable distribution of forthcoming treatment and/or vaccine aligned with recognized guidelines.
- Ensure all pharmacy personnel and delivery entities are credentialed and/or authorized to be on the roads during federal, state or local travel bans, shelter-in-place orders or lock-downs.