



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

December 15, 2022

Dear President Biden, Secretary Becerra, White House COVID-19 Task Force, and Members of Congress,

We are extremely concerned that action still has not been taken to prevent Americans' loss of pharmacy access and equity, which inevitably will result when the public health emergency ends or when COVID-19 vaccinations move to the commercial markets.

We have new data to share with you about Americans' views of pharmacy-access policies – which they distinguish from other policies related to the pandemic. **A national survey conducted by Morning Consult and commissioned by NACDS December 7-12, 2022, found that 64% of American adults agree with the statement: “Learning the lessons of the pandemic means keeping in place policies that make it easier for patients to access services from pharmacists and other pharmacy team members – including vaccinations.” Further, a majority of Democrats, Republicans, and Independents agree with that statement.** Only 20% agree that “It is time to return to all policies that were in place before the pandemic, including those that limit patients' access to services provided by pharmacists and other pharmacy team members.”

We are among those who want the pandemic to be over. In fact, pharmacy teams have helped to lead the effort that has returned students to classrooms; restored livelihoods; and reunited families, friends, and neighbors. Yet, by jeopardizing equitable, convenient, and trusted access to vaccinations and other services in pharmacies, an important missed step jeopardizes the full recovery of the economy, of public health, and of freedom.

On several occasions, NACDS has [written](#) to the Biden Administration to ensure that *Public Readiness and Emergency Preparedness Act* (PREP Act) amendments related to pharmacy access remain in place through October 2024. Unfortunately, twice – on [July 19, 2022](#), and on [September 28, 2022](#) – the Administration has responded in a manner that neglects to solve this issue, that keeps patients in a guessing game about pharmacy access, and that keeps pharmacies in a guessing game about pharmacy operations.

The net effect of the Biden Administration's letters to NACDS is that the *PREP Act* pharmacy access amendments will end either when the public health emergency expires or when federal COVID-19 countermeasures move to the commercial markets. Those who read the Biden Administration's letters will see how complex this issue sounds.

To simplify, here is just one example of the [effect on Americans](#) if the pharmacy-related *PREP Act* amendments end. Currently, it is the *PREP Act* that is largely responsible for making it possible for pharmacy technicians to give flu and COVID shots to adults. Pharmacy technicians account for approximately 40 percent of pharmacy vaccination capacity.

If this capacity goes away, Americans' vaccination experience will be characterized by lack of access, especially for children and families, longer wait times and frustration. The current “triple-demic” of COVID-

19, flu, and RSV demonstrates that our nation will continue to experience spikes in vaccination demand. Any hindrance to a smooth vaccination experience will depress vaccination levels for COVID-19 and for flu alike, thus jeopardizing individuals' health and public health broadly.

While the issues sound complex, the solutions are simple. It is essential that the Biden Administration issue a new *PREP Act* amendment that keeps the current pharmacy amendments in place through October 2024. This will provide states a window to continue to shape their laws based on lessons learned from the pandemic. It will provide the planning and operational predictability that pharmacies need, and it will provide a good-government solution responsive to Americans' needs and expectations.

Further, it is essential that Congress pass the *Equitable Community Access to Pharmacist Services Act* (H.R. 7213 in the 117th Congress). The *PREP Act* and subsequent state law changes relate to the *authority* for pharmacy teams to provide services. Meanwhile, H.R. 7213 relates to the also-vital issue of establishing a *reliable payment mechanism* for services that pharmacists are authorized to provide.

Speaking of COVID-19 vaccinations alone, the role of pharmacy teams throughout the pandemic has been irreplaceable. Pharmacy teams continue to give two in every three COVID-19 vaccinations – with the total number rapidly approaching 300 million. More than 40 percent of individuals vaccinated for COVID-19 at a pharmacy are from underserved communities.

We call urgently on the Biden Administration to take immediate action to issue a new *PREP Act* amendment that keeps current pharmacy *PREP Act* amendments in place through October 2024. We also call urgently on the Congress to pass the *Equitable Community Access to Pharmacist Services Act*. These are issues that merit true leadership and bipartisan action. The American people expect to be able to access their convenient and trusted pharmacy for essential health services. In the face of rising health threats, disrupting that access through continued inaction would be an extremely risky move for America.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven C. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer