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DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

Department of Health Care Services'
Medical Director's Prescribing Order
COVID-19 Testing Accessibility for Over-the-Counter, FDA-Authorized, Self-
Administered COVID-19 Antigen Tests for All Eligible Medi-Cal Beneficiaries

In response to the state of emergency regarding the outbreak of a novel coronavirus known as COVID-19, and in order to maintain the health and safety of the people of California and limit the further spread of infection, I am issuing this Prescribing Order to expand over-the-counter (OTC) COVID-19 testing accessibility for all eligible Medi-Cal beneficiaries.

On February 4, 2020, pursuant to Section 564(b)(1)(C) of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. §360bbb-3), the Secretary of the Department of Health and Human Services (HHS) determined that there is a public health emergency that has a significant potential to affect national security or the health and security of United States citizens living abroad, and that involves the virus that causes COVID-19. Under the American Rescue Plan Act of 2021, coverage policy for OTC, FDA-authorized, self-administered COVID-19 antigen tests through Medicaid, Medi-Cal in California, was effective March 11, 2021. Accordingly, OTC home use tests for the detection of COVID-19 is a Medi-Cal Rx pharmacy-billed medical supplies benefit.

Pursuant to California Governor Gavin Newsom's signed Executive Order N-39-20, the Director of the Department of Consumer Affairs issued DCA Waiver DCA 20-14 on May 12, 2020, permitting pharmacists to order tests for the presence of the virus SARS-CoV-2 ("COVID 19 tests") in individual patients without coordination with the patient's primary care provider or diagnosing prescriber. DCA Waiver DCA 20-45, issued August 25, 2020, indefinitely extended the provisions of DCA Waiver DCA 20-14.

This Prescribing Order allows pharmacists to order and dispense OTC, FDA-authorized, self-administered COVID-19 antigen test kits to eligible Medi-Cal beneficiaries either under their own prescribing authority or using this Prescribing Order of the Medical Director of DHCS, for the diagnosis of suspected COVID-19 in accordance with current Centers for Disease Control and Prevention (CDC) recommendations. Specific Medi-Cal coverage criteria, product specification, and quantity limits apply.

January 26, 2022

Prescribing Order for COVID-19 Testing Accessibility for Over-the-Counter, FDA-Authorized, Self-Administered COVID-19 Antigen Tests

This Prescribing Order is issued pursuant to California Code of Regulations, Title 22, section 51320. This order remains in effect until rescinded or modified.



Karen E. Mark, MD, PhD
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California Department of Health Care Services

1-31-2022
Date

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