



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

May 12, 2022

Margret R. Cooke
Commissioner
Department of Public Health
250 Washington Street
Boston, MA 02108

[Submitted via email: margret.r.cooke@mass.gov]

Re: Maintain Improved Access to Care for the Public at Massachusetts Pharmacies by Permanently Securing Pandemic Flexibilities

Dear Commissioner Cooke,

On behalf of our 16 member companies operating almost 950 pharmacies in Massachusetts, the National Association of Chain Drug Stores (NACDS) recognizes and applauds the Commonwealth's strong leadership and valiant efforts, especially during the COVID-19 pandemic, to ensure Massachusetts residents have accessible and quality care. Massachusetts has remained dedicated to serving and protecting its constituents as demonstrated by the consistently high COVID-19 vaccination rates. This success was made possible, in part, by the contributions of local community pharmacies being empowered to provide seamless access to care, including for vaccination and testing services, through federal authorizations.

The authorizations, granted by the current Federal Public Readiness and Emergency Preparedness (PREP) Act declaration, cleared undue scope of practice restrictions in Massachusetts and more broadly across the country, supporting a comprehensive, robust, nationwide response effort. As a result, hundreds of millions of vaccinations, tens of millions of tests, and thousands of access points for antivirals have been supported by the nations' pharmacies. Yet, unfortunately, the federal authorizations supporting this important progress will eventually expire, likely before the Massachusetts Legislature would reconvene in 2023, resulting in harmful access gaps for vaccine, testing, and therapeutics for Massachusetts residents.

Therefore, we urge the Commonwealth of Massachusetts to take swift action to maintain this important community access to pharmacies for residents by making permanent pharmacy practice modernization in Massachusetts in alignment with allowances under the current PREP Act declaration. Specifically, action is needed to maintain key access for the following care:

- Pharmacists' authority to order and administer tests waived by the Clinical Laboratory Improvements Amendments of 1988 Act ('CLIA-waived tests') and initiate corresponding treatment pursuant to the result of the test;
- Pharmacists' authority to order and administer vaccinations approved by the Centers for Disease Control and Prevention/Advisory Committee for Immunization Practices ('CDC/ACIP- approved vaccines') for ages 3 and older;
- Pharmacy technicians' ability to administer CLIA-waived tests and CDC/ACIP-approved vaccines for ages 3 and older.

Preventing Future Care Access Gaps

Without the necessary changes outlined, Massachusetts residents could lose the extensive access to care services at their neighborhood pharmacies that they have come to rely upon. Over the last two years in particular, Massachusetts residents have benefited greatly from expanded, equitable access to more convenient care at pharmacies. In particular, better access to care at pharmacies helps foster health equity across rural and urban and underserved areas, in addition to promoting readiness to tackle future public health crises. Importantly, the time is now to act on securing this expanded access to benefit and improve health care for current and future generations of Bay Staters. Preventing an access rollback is most critical at this timely moment.

In fact, a [poll](#) – conducted by Morning Consult and commissioned by NACDS – found support for extending, and even making permanent, federal policies empowering pharmacies and pharmacy teams to help Americans respond to the COVID-19 pandemic. Results showed:

- **70% of adults support extending these policies**
- **68% of adults support making these policies permanent**

Notably, those who received a COVID-19 vaccination from a pharmacy were even more supportive:

- **85% of adults support extending these policies**
- **84% of adults support making these policies permanent**

This strong public support demonstrates the importance of allowing pharmacies to continue to care for their patients without relying on temporary federal government authorities or the state waiver process. Permanent changes that maintain vaccination, testing, and therapeutics access at pharmacies in Massachusetts is an important step to securing progress and acting on pandemic lessons to foster better health moving forward.

Pharmacy Vaccination Access

Community pharmacies continue to demonstrate their ability to rise to various pandemic challenges to serve their communities. Pharmacies have been especially essential in reaching Americans to provide vaccination access and foster uptake. With federal COVID-19 vaccination programs:

- Pharmacies have administered more than 247 million COVID-19 vaccinations to date¹
- Today, 2 of every 3 COVID-19 vaccine doses are provided at a pharmacy²
- More than 40% of those vaccinated at pharmacies were from racial and ethnic minority groups³
- More than 40% of children ages 5 to 11 who received a COVID-19 vaccination did so at a pharmacy⁴
- Half of pharmacy COVID-19 vaccination sites are located in areas with high social vulnerability⁵
- Pharmacies have provided more than 11,000 mobile COVID-19 vaccination clinics across the country⁶

Specifically, Massachusetts pharmacies have provided more than 8.7 million (COVID and non-COVID) vaccinations across the Commonwealth since 2020. For decades, pharmacists have continued to demonstrate their ability to safely and effectively provide key vaccination access and foster uptake across communities. Pharmacists also are quite literally the medication experts of the healthcare professions. Regarding vaccinations, pharmacists have in-

¹ CDC, Federal Retail Pharmacy Program, available at <https://www.cdc.gov/vaccines/covid-19/retail-pharmacy-program/index.html>.

² White House, available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/02/fact-sheet-president-biden-announces-new-actions-to-protect-americans-against-the-delta-and-omicron-variants-as-we-battle-covid-19-this-winter/>.

³ GAO, Federal Efforts to Provide Vaccines to Racial and Ethnic Groups, available at <https://www.gao.gov/assets/gao-22-105079.pdf>.

⁴ Biden Administration, COVID-19 Vaccine for Children 6 Months – 4 Years Old Preliminary Considerations for Pediatric Planning, Feb. 2022, available at <https://www.aha.org/system/files/media/file/2022/02/covid-19-vaccine-for-children-6-months-4-years-old-preliminary-considerations-for-pediatric-planning.pdf>.

⁵ GAO, Federal Efforts to Provide Vaccines to Racial and Ethnic Groups, available at <https://www.gao.gov/assets/gao-22-105079.pdf>.

⁶ *Id.*

depth knowledge of immunology, vaccination schedules and recommendations, administration technique, storage and handling, side effects, contraindications, managing reactions, including anaphylaxis, patient education, and so much more. Pharmacists also regularly communicate with other members of the patients' healthcare team, including primary care providers, and offer referrals, and counseling to patients on the importance of both routine and follow-up medical care.

Pharmacies provide numerous, accessible locations and expanded hours, and pharmacists provide trusted expertise to improve healthcare uptake and delivery – especially for vaccinations. Action is needed to help ensure that Massachusetts residents and families can maintain the enhanced access to care they have valued at pharmacies during the pandemic into the future.

Pharmacy Testing & Initiation of Treatment Access

Accessible Massachusetts community pharmacies are vital to quickly and safely connecting the public – including medically underserved, rural, and urban communities – with needed testing and initiation of treatment care. Sometimes, pharmacies are the only available healthcare destination for patients in rural and underserved areas. Leveraging pharmacists to continue to provide important testing and related treatment care services helps improve healthcare access for otherwise underserved populations of patients. As demonstrated throughout the COVID-19 pandemic, pharmacies serve as a critical access point for many Americans to receive COVID-19 tests and treatment. Within federal COVID-19 testing programs:

- Pharmacies have provided more than 45 million COVID-19 tests⁷
- Pharmacies offer 20,000 COVID-19 testing sites nationwide
- 70% of pharmacy testing sites are in areas with moderate to severe social vulnerability⁸
- Pharmacies expanding access to antivirals at thousands of locations⁹

Since the 1990's, pharmacists have conducted routine screenings and tests for their patients and communities. Also, CLIA-waived tests are determined to be so simple that there is little risk of error. Many CLIA-waived tests are also authorized for home use.¹⁰ Pharmacists continue to demonstrate they are well qualified and have the necessary training and education to safely and effectively conduct point-of-care testing services. Prior to the COVID-19 pandemic, pharmacies have demonstrated the ability to provide this service, albeit via different capacities, that has served communities well and should be expanded to improve healthcare delivery. Furthermore, to date, 20 states have recognized pharmacists' ability to initiate treatment pursuant to a CLIA-waived test result.

Therefore, to prevent a rollback in testing access, including for COVID-19, we urge action is taken to authorize pharmacists to continue ordering and administering CLIA-waived point-of-care tests. Swift action on this important issue will help bridge an avoidable access gap for patients seeking these tests after the federal pandemic flexibilities expire.

⁷ https://content.govdelivery.com/attachments/USDHSFEMA/2021/03/09/file_attachments/1717220/By%20the%20Numbers.COVID.FINAL.Mar.%208.2021.pdf
<https://www.cdc.gov/icatt/index.html>

⁸ White House, FACT SHEET: Biden Administration Announces Historic \$10 Billion Investment to Expand Access to COVID-19 Vaccines and Build Vaccine Confidence in Hardest-Hit and Highest-Risk Communities, available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/25/fact-sheet-biden-administration-announces-historic-10-billion-investment-to-expand-access-to-covid-19-vaccines-and-build-vaccine-confidence-in-hardest-hit-and-highest-risk-communities/>

⁹ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/26/fact-sheet-biden-administration-increases-access-to-covid-19-treatments-and-boosts-patient-and-provider-awareness/>

¹⁰ <https://www.cdc.gov/labquality/waived-tests.html>

Leveraging the Full Pharmacy Team to Maintain Delivery of Quality Care for Patients

To meet patient and community needs during the pandemic response, Massachusetts pharmacies leveraged the skills and expertise of their entire pharmacy teams, including pharmacy interns and pharmacy technicians. The federal government recognized the value and importance of the role of pharmacy technicians and interns to provide needed services by authorizing their ability to administer vaccinations, tests, and treatments under the PREP Act declaration.

Pharmacies have adequately prepared their teams to provide and assist with these valuable services safely. The safety of pharmacy-based care provided by pharmacists, technicians, and interns continues to be demonstrated. In fact, the safety and effectiveness of pharmacy technicians to administer vaccines, for example, were proven and demonstrated even before the COVID-19 pandemic.^{11,12} Also, pharmacy technicians are required to complete immunization training to administer vaccines and similarly for testing under the supervision of the pharmacist. Without the help of pharmacy technicians, it would have been extremely difficult for pharmacies to continue to meet dynamic pandemic needs. Importantly, when pharmacy technicians are authorized to utilize their full expertise and skills, pharmacists can spend more time on clinical tasks that require their unique expertise.

Community pharmacies will likely continue to play an increasingly important role in administering needed vaccinations to the public given that Massachusetts has closed the several large regional COVID-19 vaccination sites that were opened across the state in response to the pandemic. Thus, maintaining the ability to appropriately leverage skills of all pharmacy team members permanently is essential to strengthen Massachusetts' healthcare workforce and patient access.

Conclusion

We thank you for the Commonwealth's robust efforts to date in recognizing pharmacies' ability to provide convenient and accessible care to your residents. Pharmacies have been, and continue to be, the face of neighborhood care and strive to help in times of need, especially reaching underserved and vulnerable communities. Now more than ever, we urge you to take action to make permanent the pharmacy flexibilities granted by the current PREP Act declaration. Your critical action on this issue will help to ensure that care access is not disrupted and that your residents will maintain the enhanced healthcare options they deserve. For questions or further discussion, please contact NACDS' Anne Fellows, Director of State Government Affairs, at AFellows@nacds.org or 978-456-9235.

Sincerely,



Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer
National Association of Chain Drug Stores

CC:

Director Lauren Nelson; Director Robert W. Oliver

¹¹ Adams AJ, Desselle SP, McKeirnan KC. Pharmacy Technician-Administered Vaccines: On Perceptions and Practice Reality. *Pharmacy (Basel)*. 2018;6(4):124. Published 2018 Nov 29. doi:10.3390/pharmacy6040124

¹² Bertsch TG, McKeirnan KC, Frazier K, VanVoorhis L, Shin S, Le K. Supervising pharmacists' opinions about pharmacy technicians as immunizers. *J Am Pharm Assoc (2003)*. 2019;59(4):527-532. doi:10.1016/j.japh.2019.03.008

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NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate over 40,000 pharmacies, and NACDS' over 80 chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 155,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 21 countries. Please visit [NACDS.org](https://www.nacds.org).