



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

September 19, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O St., Suite 9000
Sacramento, CA 95814

Re: Pharmacies Urge Your Veto of AB 1286 - Unnecessary Requirements that Undermine Access to Care

Dear Governor Newsom:

The National Association of Chain Drug Stores (NACDS) is writing to urge you to veto AB 1286, legislation that would impose arbitrary staffing limits and impede pharmacies' ability to optimize the use of pharmacy technicians to assist with technical duties that do not require a pharmacist's professional judgement. In doing so, this legislation undermines the use of pharmacy staffing models that otherwise help to free up pharmacists to spend more time providing clinical patient care and often result in expanded patient access to convenient healthcare.

Of particular concern, AB 1286 would differentiate and then limit the specific tasks that a pharmacy technician could perform, depending on whether there is one or two pharmacy technicians on duty, and without allowing for two pharmacy technicians to perform the same duties simultaneously. While the legislation does make new and important allowances for pharmacy technicians to assist pharmacists with vaccine administration and pharmacy testing services, the legislation would only allow a pharmacy technician to assist with these activities and with prescription clarifications and transfers, when there is another pharmacy technician on duty who is working solely to perform packaging, manipulative, repetitive, or other nondiscretionary tasks. Altogether, these staffing restrictions would unduly limit pharmacists' ability to optimally leverage pharmacy technicians to perform the technical tasks needed to support patient care in their pharmacy on any given day.

Particularly for California's rural and medically underserved communities, the staffing limitations in this bill could perpetuate access barriers to the growing number of clinical service offerings that might otherwise be available when all pharmacy team members are able to work at the top of their training. It is conceivable that some pharmacies may not have the patient volume to justify having multiple technicians on duty. Thus, in those pharmacies where only a single technician is working, a pharmacist would be unable to leverage their pharmacy technician to participate in vaccine delivery, testing, and the other technical acts allowed under the proposed expanded technician duties. As a result, this could impact a pharmacy's capacity to deliver patient care.

Community pharmacies are an essential access point for both medication and healthcare services for millions of Americans, including critical healthcare services like immunizations, testing, health screenings, and other important preventive and chronic care. Pharmacies' capacity to meet patient demand for these

clinical services while simultaneously meeting prescription dispensing needs is greatly enhanced when each pharmacy team member, including pharmacy technicians, are authorized to contribute at the top of their skills and training – consistent with common practices in states across the country. AB 1286 undermines this important public health need.

To support pharmacies’ ability to deploy staffing models that are best suited to meet the unique patient needs of each individual pharmacy, we urge you to veto AB 1286.

Sincerely,



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

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NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate nearly 40,000 pharmacies, and NACDS’ 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.