

March 13<sup>th</sup>, 2020

Dear Governor Polis,

Together, our organizations include over 1,000 pharmacies, thousands of pharmacists and technicians, and represent a vast healthcare network across Colorado in many practice settings. In light of the COVID-19 pandemic, we stand ready to help combat the spread, expand the workforce for help in screening, and maintain access to medications for the patients we serve.

Recognizing that the short-term and long-term risks and consequences of the current pandemic are not known, we advocate for greater latitude through easing of restrictions so that we may better ensure patients have access to their needed medications. Our end goal is the provision of medication therapy to Colorado patients with minimal disruption.

As of March 12, 2020, there have been 29 states that have issued Executive Orders, States of Emergency, or proclamations to ease restrictions and allow the pharmacy community the latitude citizens may need. With that in mind, we ask you, through executive order, to grant the pharmacy profession in Colorado emergency authority for the following:

Effective Immediately:

- Allow early fills of prescription medications without penalty from health plans (i.e., suspend “refill too soon”).
- Allow larger quantities (up to 90 days’ supply) on refills of chronic maintenance medications (controlled substances excepted) regardless of original order, to ensure continuity of care.
- Allow emergency fills for chronic maintenance medications (controlled substances excepted) on prescriptions that have no refills remaining (also for up to 90 days). This would also be allowed if a patient can present a previous prescription bottle from another pharmacy, and that pharmacy cannot be reached for transfer.
- Recognizing that there may be a need for mobile response, allow pharmacists and other health care professionals to be granted the ability to practice without having to be located within the walls of licensed facilities (e.g., licensed pharmacies).
- Allow broader prescription delivery services, such as prescription delivery to a patient’s home or to parked car if patient drives to the pharmacy. Insurers and pharmacy benefits managers should relax any plan-imposed policies that may discourage certain methods of delivery, such as mail or home delivery, for retail pharmacies that choose to offer these delivery services.
- Allow pharmacists to perform therapeutic substitution of medications in the same therapeutic class, without prescriber authorization, if shortages of prescribed agents occur.
- Waive Board of Pharmacy requirements in sterile compounding to preserve personal protective equipment (PPE), like masks. Since these PPE resources are more direly needed elsewhere in the healthcare system, using common sense PPE would help divert resources more appropriately.

If needed:

- If staffing shortages occur:
  - Temporarily allow expanded technician to pharmacist ratios beyond 6:1.
  - If an employed technician has not been certified with the State Board of Pharmacy by the predetermined deadline of 3/30/2020, that they be allowed to temporarily continue work.

- Allow pharmacists or technicians from other states to temporarily practice in CO if CO licensed staffing becomes insufficient to meet healthcare needs
- Temporarily allow non-licensed or non-certified staff to assist under the supervision of a pharmacist.
- Allow pharmacy locations outside of the state (border stores) to sell medications (in shortage) to same company pharmacies inside CO
- Allow remote processing of prescriptions both within CO and outside of CO
- Waive “proof of delivery” and signature upon receipt of delivery and/or patient counseling where required
- Postpone deadlines related to audit and documentation requirements until after the end of the emergency period
- Allow Chief Medical Officer of CDPHE to authorize any willing pharmacist in the state to provide designated services to help with COVID-19 testing, screening, or prescribing as appropriate via a standing order or collaborative practice agreement

Finally, we ask that you work with the Colorado Department of Public Health and Environment and the Colorado Division of Insurance to continue to work with health insurance plans and pharmacy benefit managers operating in the state to identify any burdens and remove barriers for testing for COVID-19 and to patient’ access to their prescription drugs and telepharmacy services.

Thank you for your work and understanding how we can help with the COVID-19 situation in CO.

Sincerely,



Christopher Howes  
President  
Colorado Retail Council



Emily Zadvorny, PharmD  
Executive Director  
Colorado Pharmacists Society



Ky Davis, PharmD  
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