COVID-19 Policy Update

COVID-19 is the biggest health crisis this nation has seen, and pharmacists are front line providers in this fight who, along with their technicians and staff, continue to do everything they can to care for patients and battle this terrible disease.  During this time, GPhA remains operating and fully functional.  From a policy perspective, while GPhA remains engaged with legislators and stands ready to continue legislative efforts when the general assembly is reconvened, GPhA’s focus has shifted from legislative advocacy to engaging with state officials and stake holders to ensure pharmacists’ critical perspective is heard throughout this crisis and that policies improving patient care and access are implemented.  This has been an incredibly busy time at GPhA as we attempt to match the energy and efforts of our members who are fighting on behalf of their patients daily and who truly are, the unsung heroes of this battle.  It is our honor to do so.

Set forth below are pharmacy related actions that have been taken by the Governor and the Board of Pharmacy as well as material policy and advocacy activities GPhA has engaged in throughout this crisis. The Governor, the Commissioner of Insurance, and the Board of Pharmacy have been working tirelessly and have been responsive to the needs and concerns raised by GPhA and others with regard to pharmacists and their patients and GPhA is grateful.  This is a fluid emergency and conditions, rules, and orders are subject to change quickly.



\* Photo of GPhA member, Dawn Lieber Sasine, which appeared in the AJC.

**Governor Kemp - Pharmacy Related Emergency Actions –** can be accessed here:

<https://gov.georgia.gov/executive-action/executive-orders>

Governor Kemp March 20th Executive Order

* Permits pharmacists to dispense 90-day supply of a prescription in the event a patient has no remaining refills (limited to dangerous drugs per Board of Pharmacy statement of interpretation).
* Permits pharmacists to dispense early refill prescriptions (limited to dangerous drugs per Board of Pharmacy statement of interpretation).

Governor Kemp March 23 Executive Order

* No business shall allow more than 10 persons to be gathered at a single location if such gathering requires persons to stand or be seater within 6 feet of any other person.

Governor Kemp March 31 Executive Order

* Directs Board of Pharmacy to suspend personal supervision requirements to allow pharmacy technicians and pharmacists to complete computer-based processing of prescriptions at alternative locations, including from the residence of the pharmacy technician or pharmacist.

Governor Kemp April 2 Executive Order

* Shelter in place order. Critical infrastructure workers include pharmacists and pharmacy workers.
* For Critical infrastructure entities, requires measures be implemented to mitigate the exposure and spread of COVID-19 and encourages 16 specific measures.

**Board of Pharmacy** **Emergency Rules** -  can be accessed here:

<https://gbp.georgia.gov/press-releases/2020-03-23/notice-board-pharmacy-covid-19-emergency-rules>

Rule 480-48-0.37-.04 Delivery by mail

* Relaxes delivery by mail requirements and replaces Rule 480-48 for the duration of emergency not to exceed 120 days.
* Effective March 10.

Rule 480-36-0.36-.08

* Relaxes remote order entry rules and replaces Rule 480-36 for the duration of emergency not to exceed 120 days.
* Effective March 20.

Rule 480-10-0.38-.22

* Sets dispensing limitations for chloroquine, hydroxychloroquine, or mefloquine.
* Does not apply to patients previously established on any of these drugs.
* Effective March 27.

Rule 480-15-0.40-.07

* Relaxes pharmacy technician registration process and replaces Rule 480-15-.02 for the duration of emergency not to exceed 120 days.
* Effective April 1.

Rule 480-22-0.39-.16

* Relaxes requirements for emergency call-in Schedule II prescriptions to mirror DEA emergency rules and replaces Rule 480-22-.04(3) for the duration of emergency not to exceed 120 days.
* Effective April 1.

Guidance regarding compounding of hand sanitizer

* Board communication indicating they take the position that compounding of hand sanitizer gel is permitted given that the components are all over-the-counter products.

**GPhA Actions related to COVID-19**

March 16 letter to Commissioner of Insurance

* GPhA submitted a letter to the Commissioner of Insurance who is also running lead on the COVID-19 task force advocating for emergency refill authority for pharmacists expanded testing authority for COVID-19, flu, and strep; and authorization for pharmacists to compound non-patient specific hand sanitizer.
* Emergency refill authority was given, and the Board of Pharmacy issued a statement on compounding of hand sanitizer.

Pharmacy Guidelines Distributed

* Covid-19 Checklist for Pharmacies distributed to all GPhA members.

COVID-19 Cocktail

* When GPhA was made aware of prescriptions being written and hoarding of medications including for chloroquine, hydroxychloroquine, or mefloquine GPhA raised this with state leaders including the Board of Pharmacy.
* DPH issued a letter to physicians regarding overprescribing and the Board of Pharmacy issued an emergency rule.

Essential Operations

* In coordination with the Healthcare Distribution Alliance, GPhA sent a letter to the Commissioner of Insurance regarding the importance of including not only pharmacists and their staff but also distributors within healthcare operations consistent with Homeland Securities list of essential critical operations in any state wide shut down or shelter in place order.
* The Department of Homeland Security’s list of essential critical operations was incorporated in Governor Kemp’s shelter in place order.

Medicaid 1135 waivers

* A March 24th letter was sent to the Director of Medicaid regarding the opportunity for a streamlined 1135 Medicaid Waiver process and requesting an increased dispensing fee to account for additional costs incurred by pharmacies for home delivery.
* The Georgia Department of Community Health submitted waivers, including an 1135 waiver, on March 28th , but did not include items that potentially increased expenses to the state, so an increased dispensing fee for delivery was not included.  GPhA will continue to advocate for this increase.

Medicaid managed care audits

* GPhA was made aware of two scheduled pharmacy audits of claims including from one of Georgia’s Medicaid managed care companies.  GPhA sent a letter to the Director of Medicaid and the Medicaid managed care company and the Medicaid managed care company agreed to suspend all audits for the duration of the emergency.

Ongoing practices by PBMs

* GPhA sent a letter on March 26th to the Commissioner of Insurance requesting an executive order suspending audits, signature log requirements, and any delivery restrictions imposed on retail pharmacies including utilization of the mail. No action has been taken but conversations are ongoing.

Letter to Wholesalers

* Letter sent to five major wholesalers from AIP on April 2nd asking for wholesalers to extend terms or offer dating interest free during the emergency period and 30 days thereafter.

CARES ACT and SBA Loan information

* Email sent to AIP members on how to apply for funds through the CARES Act (Payroll Protection Program), EIDL loans and SBA 7(a) loans.

Computer based processing of prescriptions from a remote location

* GPhA offered material input in the crafting of this order.

Emergency CII call-in prescriptions

* On March 30, GPhA sent a letter to the Board of Pharmacy requesting that the Board issue an emergency rule mirroring the DEA’s action regarding exceptions to the rule in light of the pending emergency.
* The Board of Pharmacy met and issued an emergency rule mirroring the DEA’s exceptions.

Volunteers

* GPhA is working with the Medical Association of Georgia Medical Reserve Corps to identify pharmacist and student volunteers for the Georgia Adjunct General.

Supply chain shortages

* GPhA has and continues to monitor supply chain issues and has passed along information to state officials as necessary.
* GPhA has assisted with facilitating communications between the Department of Public Health and the U.S. Congress regarding state access to hydroxychloroquine.

Distributor flexibility

* GPhA has communicated to the major wholesalers regarding the impact this crisis has had on pharmacy cash flow and requested flexibility via extending terms of payment penalty free.

GPhA Virtual Town Hall

* Hosted by GPhA CEO Bob Coleman, GPhA held a town hall on March 26th on the COVID-19 crisis which included a panel of pharmacist leaders across practice settings including hospital, long-term care, public health, and retail. Topics of discussion include PPE shortages, supply chain issues, and best practices. A recording is available on the covid-19 page in the GPhA website.

April 3rd – CDC publishes Considerations for Pharmacies during the COVID-19 Pandemic

* This guidance applies to all pharmacy staff to minimize their risk of exposure to the virus and reduce the risk for customers during the COVID-19 pandemic