



September 30, 2022

The Honorable Elizabeth Warren
309 Hart Senate Office Building
U.S. Senate
Washington, DC 20510-2105

Dear Senator Warren:

On behalf of the American Pharmacists Association (APhA), we would like to thank you for your correspondence on September 22, 2022, and the opportunity to provide comments related to abortion care services in addition to our letter to your office on September 9, 2022.¹

Founded in 1852, APhA is the largest association of pharmacists in the United States representing the entire pharmacy profession. APhA members practice in community pharmacies, hospitals, long-term care facilities, specialty pharmacies, community health centers, physician offices, ambulatory clinics, managed care organizations, hospice settings, and government facilities. Our members strive to improve medication use, advance patient care, and enhance public health.

APhA continues to call on state and federal policymakers to ensure that patient care is not disrupted as a result of passage and interpretation of these laws and that pharmacists shall be free to continue to practice pharmacy without fear of professional sanctions or liability. In response to your questions specific to pharmacists, please see the answers below:

In your letter, you ask about the impact of S.4840 on pharmacists' ability to provide care. APhA is unable to predict the comprehensive effects S.4840 would have on pharmacists nationally, as state laws vary and the implementation, interpretation, and application of those laws, in light of federal requirements, remains unclear in many states.

We would like to reiterate our concerns highlighted in our September 9, 2022, letter of current and the growing reports of delays in care and lost access to medications following the *Dobbs* decision and state-imposed restrictions on abortion care. APhA respectfully requests federal policymakers provide clearer guidance or pass additional laws or regulations allowing pharmacists to exercise their professional judgement to ensure that patient care is not disrupted. Pharmacists and other health care professionals should be free to continue to meet the health care needs of our patients without fear of professional sanction or liability. We strongly urge federal policymakers to work with state policymakers to prevent further confusion and act to help ensure patients retain continuity of care and that pharmacists clearly understand their legal and licensing obligations under both state and federal laws, as well as FDA, State, and State Board of Pharmacy regulations.

¹ APhA response to Senator Warrant Regarding States' Access to Reproductive Services (September 2022). Available at https://pharmacist.com/DNNGlobalStorageRedirector.ashx?egsfid=IuAXtHhcy_Y%3d

We appreciate your focus on these important and urgent issues. We welcome and encourage you and your staff to meet with us to discuss these and many other issues facing our nation's pharmacists and their patients. Please contact Michael Baxter, Senior Director, Regulatory Policy at mbaxter@aphanet.org with any additional questions and/or to arrange a meeting with us.

Sincerely,

A handwritten signature in black ink, reading "Ilisa BG Bernstein". The signature is fluid and cursive, with the first name "Ilisa" being more prominent and the last name "Bernstein" following in a similar style.

Ilisa BG Bernstein, PharmD, JD, FAPhA
Interim Executive Vice President and CEO

cc: Theresa Tolle, BPharm, FAPhA, APhA President