



June 8, 2023

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 May 25, 2023, and the opportunity to provide comments related to abortion care services. We would like to reiterate the concerns we highlighted in our letters from September 2022<sup>1,2</sup> of continued reports of delayed care and lost access to medications following the *Dobbs* decision, the ongoing appeals of the *Alliance for Hippocratic Medicine vs. FDA*, and continued confusion surrounding conflicting state and federal laws and regulations.

APhA is the only organization advancing the entire pharmacy profession. APhA represents pharmacists, student pharmacists, and pharmacy technicians in all practice settings, including but not limited to 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.

During APhA's Annual Meeting in March 2023, our House of Delegates adopted the following policies:

#### **Access to Comprehensive Reproductive Health Care**

1. APhA supports equitable patient access to evidence-based comprehensive reproductive health care, including, but not limited to, the management of pregnancy loss, ectopic pregnancy, infertility, pregnancy termination, contraception, and permanent contraception.
2. APhA recognizes patient autonomy in choosing reproductive health care services and the essential role of all health care professionals in facilitating access and advancing informed decision-making.

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<sup>1</sup> APhA response to Senator Warrant Regarding States' Access to Reproductive Services (September 2022). Available at [https://pharmacist.com/DNNGlobalStorageRedirector.ashx?egsfid=luAXtHhcy\\_Y%3d](https://pharmacist.com/DNNGlobalStorageRedirector.ashx?egsfid=luAXtHhcy_Y%3d)

<sup>2</sup> APhA Letter to Senator Warren (September 2022). Available at <https://www.pharmacist.com/DNNGlobalStorageRedirector.ashx?egsfid=2nxkWOsGIII%3d>

3. APhA supports evidence-based legislation that ensures patient access to comprehensive reproductive health care services.
4. APhA opposes legal actions against pharmacies, pharmacists, and pharmacy personnel that provide patient access to, or information regarding, reproductive health care services that are within the pharmacist scope of practice.

#### **Employer Responsibilities Related to Comprehensive Reproductive Health Care Access**

1. APhA advocates for employers to provide coverage and access to comprehensive reproductive health care services.
2. APhA demands that pharmacists and pharmacy personnel receive accommodations before, during, and after pregnancy, including but not limited to sufficient time and space for breaks, opportunities to sit while working, and access to food and water between breaks.

APhA requests federal policymakers provide clearer guidance or pass additional laws or regulations to protect pharmacists' authority to exercise their professional judgment 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 preserve the 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.

We appreciate your focus on these important issues. We 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, Acting Head of Government Affairs at [mbaxter@aphanet.org](mailto:mbaxter@aphanet.org) with any additional questions or to arrange a meeting with us.

Sincerely,



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

cc: Valerie Prince, PharmD, FAPhA, BCPS, President, APhA

The Honorable Mazie K. Hirono  
The Honorable Tammy Duckworth  
The Honorable Tina Smith