



May 4, 2023

The Honorable Bernie Sanders
322 Dirksen Senate Office Building
Washington DC, 20510

The Honorable Bill Cassidy
455 Dirksen Senate Office Building
Washington DC 20510

Dear Chairman Sanders and Ranking Member Cassidy,

APhA appreciates the opportunity to comment on the Senate Health, Education, Labor, and Pensions hearing on “Preparing for the Next Public Health Emergency: Reauthorizing the Pandemic and All Hazards Preparedness Act (PAHPA).”

APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession. APhA represents pharmacists and pharmacy personnel in all practice settings, including 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 the COVID-19 public health emergency (PHE), pharmacists have demonstrated the ability to significantly expand access and equity to health care and will continue to do so if regulatory and statutory barriers are removed. The pandemic has demonstrated how essential and accessible pharmacists are in the United States. While many communities across the country do not have access to a primary care provider, more than 90% of Americans live within 5 miles of a pharmacist. A strong body of evidence has shown that including pharmacists on interprofessional patient care teams with physicians, nurses, and other health care providers produces better health outcomes and cost savings. As a result, lifting barriers to access is essential as we continue to look towards ways to improve patient access to critical health care services.

During the most recent pandemic, pharmacists and pharmacies were able to test, treat, and immunize patients for conditions ranging from COVID-19 to the flu. The flexibilities offered by the federal government made access to health care easier for pharmacists to provide care to patients during the COVID-19 PHE. The problem is many of these flexibilities and authorities are not considered permanent and further action is needed to expand access to pharmacist-provided services. As you look to reauthorize programs such as PAHPA, we ask that you take into consideration these flexibilities and continue to remove barriers that would prevent pharmacists from providing these essential services as part of the health care team.

To illustrate this urgency, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra recently lengthened the PREP Act authority for pharmacists and pharmacy technicians to administer COVID-19 vaccines and tests, along with flu vaccines until December 2024. Without this extension that authority would have expired on May 11, 2023 when the COVID-19 health emergency officially ends.

The extension of authority and the Secretary's recognition of pharmacist services is a critical first step in expanding access to patient care, but the federal government should do more to ensure this authority will remain as pharmacists are clearly relied upon by the federal government as a vital part of our nation's public health infrastructure.

One manner in which we can make this authority permanent is by enacting legislation such as H.R. 1770 the Equitable Community Access to Pharmacists Services Act (ECAPS), led by Representatives Adrian Smith (R-NE), Brad Schneider (D-IL), Larry Bucshon (R-IN), and Doris Matsui (D-CA). This legislation would provide for reimbursement through Medicare Part B for pharmacist's services including the testing of COVID-19, flu, RSV, and strep; treatment of COVID-19, flu, and strep; and the vaccination of COVID-19 and flu.

Despite the fact that many states and Medicaid programs are turning to pharmacists to increase access to health care, Medicare Part B does not cover many of the impactful and valuable patient care services pharmacists can provide. As proven during the COVID-19 pandemic, pharmacists are an underutilized and accessible health care resource who can positively affect beneficiaries' care and the entire Medicare program.

By recognizing pharmacists as providers under Medicare Part B, H.R. 1770 would enable Medicare patients to better access health care through state-licensed pharmacists practicing according to their own state's scope of practice. Helping patients receive the care they need, when they need it, is a common sense and bipartisan solution that will improve outcomes and reduce overall costs.

[Public health interventions](#) by pharmacists and teammates averted >1 million deaths, >8 million hospitalizations, and \$450 billion in health care costs. Patients have come to expect that they can access these vital health care services at their local pharmacy, particularly [in underserved communities](#), where the neighborhood pharmacy may be the only health care provider for miles.

Congress could ensure increased patient access to health care by enacting legislation such as ECAPS and by making permanent some of the temporary authorities mentioned in the PREP Act.

Congress needs to act immediately to make these temporary authorizations, whether authorized by the PREP Act or federal PHE, permanent to ensure patients will be able to receive the health care services they need at pharmacies across the country during the current and future PHEs.

Accordingly, APhA urges Congress and the Committee to use its authority to pass legislation in PAHPA to make permanent:

- **Pharmacists' ability to order, authorize, test, treat, and administer immunizations and therapeutics against infectious diseases;**
- **Removal of operational barriers that address workforce and workflow issues that previously prevented pharmacists from engaging in patient care; and**
- **Allowing license portability across state lines, so pharmacists can continue to provide care wherever there are needs across the country.**

APhA appreciates the opportunity to offer these comments and are grateful for the Committee's leadership on this issue. Should you have any questions, please contact Doug Huynh, JD, APhA Director of Congressional Affairs (dhuynh@aphanet.org).

Sincerely,

A handwritten signature in black ink that reads "Michael Baxter". The script is cursive and fluid, with the first name "Michael" and last name "Baxter" clearly legible.

Michael Baxter
Acting Head of Government Affairs