



August 25, 2020

The Honorable Alex Azar II
Secretary
U.S. Department of Health and Human Services (HHS)
200 Independence Ave SW
Washington, DC 20201

Re: Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19

Dear Secretary Azar:

The pharmacy community writes to thank you for your continued leadership to leverage the accessibility of pharmacists for immunizations and distribution of vaccines to community-based pharmacies as we work together to defeat the COVID-19 pandemic. HHS took bold action under the Public Readiness and Emergency Preparedness Act (PREP Act) to authorize licensed pharmacists to provide all Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP)-recommended, Food and Drug Administration (FDA)-approved or licensed, vaccines to all children ages 3 -18 during the COVID pandemic, regardless of state laws and regulations.¹ HHS’ important action was necessary to increase access to lifesaving childhood vaccines and decrease the risk of vaccine-preventable disease outbreaks as children across the United States return to daycare, preschool and school.

We also appreciate that the federal authorization does not preempt state laws that permit additional individuals to administer vaccines that ACIP recommends to persons age 18 or younger. Thus, allowing pharmacists and pharmacy interns to still order or administer vaccines to individuals ages two or younger to the extent authorized under State law to meet community need.² The authority provided under the Amendment considers collaboration and communication with other members of the healthcare and public health communities through documentation, referral and public education efforts. We are committed to working with our immunization neighborhood partners to serve the public health needs of our communities.

As you have stated, HHS’ “action means easier access to lifesaving vaccines for our children, as we seek to ensure immunization rates remain high during the COVID-19 pandemic.” Similarly, our organizations look forward to working with HHS to also increase vaccine access among our adult populations during the public health emergency. As mentioned in our previous request to

¹ <https://www.hhs.gov/sites/default/files/third-amendment-declaration.pdf>
² Page. 11. Footnote 29.

the HHS Office of General Counsel,³ another barrier encountered by pharmacists is that a number of states do not allow pharmacists to order a clinically appropriate vaccination, but instead require a prescription from another healthcare provider or other permissive authority by the state. Yet, no diagnosis is needed for a vaccination. Accordingly, we continue to encourage HHS to remove these additional barriers to allow patients to get all of their clinically appropriate vaccinations in one place from a provider they trust—like their local pharmacist or other healthcare provider—rather than requiring patients to work with multiple healthcare providers to obtain recommended vaccinations.

Given the success to date of pharmacists administering vaccines, serving as knowledgeable accessible immunization providers within their communities, and their collaboration with public health and other providers, a successful vaccination plan, both nationally and from the states, must involve pharmacists. An all-hands-on-deck approach will be needed. With the right resources, pharmacists will dramatically expand access for COVID-19 vaccination and re-institute our nation’s routine immunization program. Therefore, our organizations look forward to continuing to work with HHS, our public health partners and the Governors to ensure that all licensed pharmacists and pharmacies willing and able to administer COVID-19 and ACIP-recommended, FDA-licensed or approved vaccines play a vital role in every states’ vaccine distribution and immunization plan. This will help protect the public, reopen our nation’s schools, our state’s economies, and get Americans back to work. We believe this can be achieved through broad access to pharmacists’ immunization services for all patient populations.

Again, thank you for working alongside pharmacists and all of America’s heroic healthcare workers. Our organizations are happy to continue to serve as a resource to assist your efforts to fully permit pharmacists “to practice at the top of their license” and “empowering the public with more options to protect their health and well-being.” Please contact Michael Baxter, Senior Director, Regulatory Policy, at mbaxter@aphanet.org if you need any additional information or would like to meet with our organizations.

Sincerely,

American Pharmacists Association (APhA)
Accreditation Council for Pharmacy Education (ACPE)
Academy of Managed Care Pharmacy (AMCP)
American Society of Consultant Pharmacists (ASCP)
American Society of Health-System Pharmacists (ASHP)
College of Psychiatric and Neurologic Pharmacists (CPNP)
National Alliance of State Pharmacy Associations (NASPA)
National Community Pharmacists Association (NCPA)
National Pharmaceutical Association (NPhA)

CC: The Honorable ADM Brett P. Giroir, M.D., Assistant Secretary for Health
William Chang, J.D., Deputy General Counsel
The Honorable VADM Jerome M. Adams, M.D., M.P.H, Surgeon General

³ https://www.pharmacist.com/sites/default/files/Pharmacy_COVID_vaccine_guidance_request_FINAL.pdf