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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. On March 11, 2020, in view of the grave threat that the spread of COVID-19 presents to the public health, the Public Health Council authorized and directed me to act pursuant to G.L. c. 17, § 2A and to take all appropriate actions, incur such liabilities, and establish such rules, requirements, and procedures necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth.

Accordingly, having received that authorization from the Council, and with the approval of the Governor, I issue the following Order:

As a result of the 2019 novel Coronavirus (COVID-19), individuals residing in medical shelters or quarantined as a result of COVID-19 (quarantined individuals) in the Commonwealth may have difficulty requesting prescription refills from a pharmacy or provider, managing their medications, transferring prescriptions, and arranging for the dispensing and delivery of medications.

Accordingly, and effective immediately, the COVID Pharmacy Assistance Team, comprised of clinicians and other healthcare professionals employed or contracted by the Commonwealth, and under the direction of MassHealth, hereby has the authority to request prescription refills, transfer prescriptions, discuss medications lists and prescription history with providers and pharmacies, and facilitate the dispensing and delivery of medications on behalf of quarantined individuals in the Commonwealth. This authority shall be exercised to the extent the COVID Pharmacy Assistance Team determines that doing so would protect the health and welfare of the quarantined individual. The COVID Pharmacy Assistance Team may determine in its sole discretion that any quarantined individual is unable to pay the copayment at the time service is provided, and pharmacies may not refuse services to a quarantined individual who is a MassHealth member for failure to pay a copay. Pharmacies and providers shall treat requests from the COVID Pharmacy Assistance Team on behalf of a quarantined individual as if they were made directly by the quarantined individual.

The COVID Pharmacy Assistance Team may request refills for a prescription for continuation of therapy for a chronic condition without remaining refills in accordance with the Order of the Commissioner of Public Health Related to Pharmacy Practice issued on March 24, 2020 (the

March 24 Order). As described in Section IV of the March 24 Order, in the event a patient's prescription does not have any remaining refills and the patient's prescriber is not available to authorize a new prescription, pharmacists and pharmacies are authorized to dispense a refill of medication for continuation of therapy for a chronic condition in accordance with the pharmacist's professional judgment.

Refills made pursuant to the order of the March 24 Order may be requested prior to the immediate transfer of a prescription to a pharmacy which facilitates expeditious access to quarantined individuals.

This Order shall remain in effect from April 4, 2020, until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

April 4, 2020