pennsylvania
DEPARTMENT OF STATE

March 22, 2020

Pennsylvania Suspends Certain Licensing and Regulatory Requirements for Pharmacies and Pharmacists During Coronavirus Emergency

In order to increase the number of health-care practitioners available to respond to the COVID-19 emergency and to ensure continuity of patient care and services, Governor Wolf has granted the Department of State's request to suspend some licensing and regulatory requirements related to pharmacists, pharmacies and other practitioners licensed under the state Board of Pharmacy.

For pharmacy technicians and pharmacy interns:

A pharmacist may provide direct or personal supervision of pharmacy interns and pharmacy technicians conducting data entry via technological means. If using technology, the pharmacy must have documented policies and procedures and other adequate safeguards to protect against patient harm and privacy incidents. A pharmacist providing personal supervision for data entry via technology shall: (1) Be readily available to answer questions of a pharmacy intern or pharmacy technician; and (2) Be fully responsible for the practice and accuracy of the pharmacy intern or technician.
A pharmacist must still be onsite to fill prescriptions. This does not allow for pharmacy technicians and pharmacy interns to fill prescriptions from a remote location.

For out-of-state pharmacies that wish to ship goods into Pennsylvania but do not currently hold the necessary Nonresident Pharmacy registration from the State Board of Pharmacy:

The registration requirement is temporarily suspended for the duration of the COVID-19 emergency, and out-of-state pharmacies may ship into Pennsylvania.

The following prerequisites must be met:

- the nonresident pharmacy must have a business relationship with a Pennsylvania pharmacy,
- the nonresident pharmacy must be licensed in good standing in their home state, and
- the nonresident pharmacy and Pennsylvania pharmacy with which it has a business relationship must have access to common patient files.

For licensed pharmacists who also have an Authorization to Administer Injectables:
The Department is temporarily suspending the requirement that the pharmacist hold an active CPR certificate. If a pharmacist's CPR certificate was valid on March 17, 2020, it will be accepted by the Board as being valid through December 31, 2020.

Temporary licensure:
Governor Wolf also granted the Department's request for a suspension of certain licensure requirements to allow expedited temporary licensure to pharmacy practitioners and pharmacies in other states to provide goods and services to Pennsylvanians, for the duration of the

coronavirus emergency.

- The Governor suspended several "administrative requirements" in order for the Department to grant temporary licenses on an expedited basis to out-of-state practitioners.
  - Process in place during disaster declaration: After the applicant seeking a temporary license has demonstrated they are licensed by and in good standing with their home state, the Bureau of Professional and Occupational Affairs (BPOA) may suspend the requirements for letters of good standing, criminal history record checks, National Practitioner Data Bank reports, and any other requirement deemed by BPOA as "administrative" in nature.
- The Governor suspended several continuing-education requirements which, if enforced at this time, would create delays in issuing temporary licenses.
  - Process in place during disaster declaration: BPOA may suspend any continuing education (C.E.) requirements for such applicants seeking a temporary license.

Pharmacy permits:
The Governor is also suspending the regulations that require a pharmacy to immediately turn in its permit in the event it closes or ceases operations. Instead, during the COVID-19 emergency, a pharmacy that temporarily closes for a period of 24 hours or longer should retain its permit, and instead take the following steps:

- Provide notice to the State Board of Pharmacy as follows:
  - Send an email to ST-PHARMACY@pa.gov, and in the subject line provide the phrase "Notification of Pharmacy Closure Greater Than 24 Hours," along with the name and permit number of the pharmacy.
  - Provide a short explanation regarding the nature of, and reasons for, the closure.
  - Provide a brief statement that describes the pharmacy's plans to ensure continuity of care for their patients during the closure (for example, "entering into a temporary centralized prescription handling agreement with another pharmacy," etc.)
- Other measures a pharmacy should consider are:
  - Posting signage in the windows/doors of the pharmacy, and on any website maintained or social media platform used by the pharmacy, providing information for patients to follow in order to obtain counseling, have new prescriptions filled and obtain refills of their medications during the period when the pharmacy is closed.
  - If the pharmacy has an answering machine message, updating it to provide similar information to patients.
  - Maintaining continuity of any security-related issues that may be impacted during the closure, as well as any issues related to the control and monitoring of temperature in the pharmacy during the closure.

Guidance on personal protective equipment (PPE):

- With regard to a pharmacy's use of personal protective equipment (PPE) used in the compounding of sterile and non-sterile preparations, the Board of Pharmacy advises licensees to follow guidance issued by the United States Pharmacopeia (USP): https://www.usp.org/sites/default/files/usp/document/about/public-policy/usp-covid19-garb-and-ppe.pdf. During the COVID-19 emergency, the Bureau of Professional and Occupational Affairs also will follow the recommendations USP has suggested for state regulators, which is to exercise "risk-based enforcement discretion" related to the implementation of USP compounding standards.