STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7KK

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – PHARMACISTS AUTHORIZED TO ORDER COVID-19 TESTS

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, pursuant to such declaration, I have issued thirty-seven (37) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 is higher for individuals who are 60 or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to increase slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, expanded and widely available testing is critical to providing the rapid diagnosis, treatment, isolation, and contact tracing required to protect public health and safety by preventing or limiting increased transmission of COVID-19; and

WHEREAS, to facilitate broad expansion of COVID-19 diagnostic testing, the Commissioner of Public Health issued an order on May 6, 2020 suspending the requirement that COVID-19 diagnostic testing may only be administered pursuant to the order of a licensed physician or other licensed professional; and

WHEREAS, the Center for Medicare & Medicaid Services requires that, for COVID-19 testing to be covered for payment or reimbursement, the testing must be ordered by a healthcare practitioner expressly permitted by state law to issue such orders;

WHEREAS, licensed pharmacists are well positioned by geography, resources, and expertise to aid in the expansion COVID-19 diagnostic testing but are not currently explicitly authorized under state law to order such tests;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Pharmacists are Permitted to Order and Administer Food and Drug Administration Approved Tests for COVID-19.** Notwithstanding any provision of the Connecticut General Statutes or Regulations of Connecticut State Agencies, Section 19a-36-D29 of the Regulations of Connecticut State Agencies is modified to provide that pharmacists licensed pursuant to Chapter 400j of the Connecticut General Statutes are expressly permitted to order COVID-19 diagnostic tests consistent with Clinical Laboratory Improvement Amendments (CLIA), including serology tests that do not require venipuncture, that the Food and Drug Administration (FDA) has authorized. Pharmacists shall report all testing activities and any other information required by DPH in accordance with applicable orders, guidelines or other directives issued by the Commissioner of Public Health or her designees.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified, extended or terminated.

Dated at Hartford, Connecticut, this 7th day of May, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State