

MICHIGAN PHARMACISTS ASSOCIATION

Michigan Emergency Executive Orders – Disaster Averted

NABP District IV

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MICHIGAN EXECUTIVE ORDERS

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Request for EOs

1. Conversations with members
2. Conversations with MPA Staff and MPA Board
3. Conversations with Governor's health care person
4. Conversations with Department of Licensing & Regulatory Affairs
5. Wait time....
6. Executive Orders issued
7. Now 174+ EOs related to COVID-19

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Executive Order 2020-13

- Allows LARA to renew a license to practice even if the continuing education requirements haven't been met yet.
- Additionally, LARA may recognize hours worked during the COVID crisis and count them towards continuing education courses required for licensure.
- Has been rescinded and replaced with EO 2020-49 and then EO 2020-82.
- Expired June 9, 2020.
- Important to pharmacy because of June 30 renewal date for ½ of the pharmacists and pharmacy techs.

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Executive Order 2020-25

Was written with help from MPA and directly relates to pharmacists, the EO allowed:

- Pharmacists to dispense emergency refills up to a sixty day supply of non-controlled maintenance medication.
- When dispensing an emergency refill the pharmacist must:

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Executive Order 2020-25 Cont.

- a) Inform the patient they are doing so under EO 2020-25,
- b) Inform the prescriber in writing within a reasonable time of refills dispensed,
- c) Make a reasonable effort to communicate with the prescriber regarding the refill, and make note of efforts to reach prescriber,
- d) Prescriber will not incur any criminal or civil liability as a result of filled prescriptions.

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Executive Order 2020-25 Cont

- Pharmacists may operate in an area that is not designated on the pharmacy license, but may not prepare sterile drugs in this area.
- Pharmacists may dispense and/or administer drugs to treat COVID pursuant to protocols established by the CDC or the Chief Medical Executive of DHHS.
- Substitution of therapeutically equivalent medication is allowed when a critical shortage exists without authorization of a prescriber – the prescriber must be informed.

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Executive Order 2020-25 Cont

- Preceptors may supervise student pharmacists remotely to fulfill eligibility for licensure and to avoid delaying graduation.
- Insurers and HMOs must cover any emergency refills of covered prescription drugs dispensed by a pharmacist. Contract provisions governing out-of-network benefits and cost-sharing may still apply.
- Pharmacists may supervise technicians and other staff remotely through a real time audiovisual camera system (telepharmacy) there must be a pharmacist present in the pharmacy during this time.

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Executive Order 2020-25 Cont

- Pharmacists holding a license in good standing in a different state will be deemed to be licensed in this state to do business, they may not dispense controlled substances.
- Wholesale Distributors holding a license in good standing in a different state will be deemed to be licensed in this state to do business, they may not deliver controlled substances.
- Has been rescinded and replaced with EO 2020-56, 93, 124 and then modified in EO 152 dealing with only training of pharmacy students. Expires with State of Emergency.

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Executive Order 2020-30

- Permits pharmacists to provide care for routine health maintenance, chronic disease states, or similar conditions according to their education without physician supervision in health systems.
- Additionally, the department has suspended the requirement for health care professionals to renew their license while the emergency order is in effect.
- EO 2020-30 has been rescinded and replaced with EO 2020-61 and then EO 2020-100.
- EO was rescinded on Aug. 31, 2020.

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Executive Order 2020-60

- Any individual who enters a pharmacy who is able to medically tolerate a face covering must wear a covering over his or her nose and mouth.
- Pharmacies must create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant people, and those with chronic conditions, including heart disease, diabetes, and lung disease.
- EO 2020-60 became EO-2020-71, 109, 126, 149 and now EO 2020-168. Was in effect until Sept. 7, 2020.

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Executive Order 2020-104

1. Allows testing to occur without a specific order from a physician.
2. Expands ability to order COVID-19 testing to pharmacists.
3. Requires test reporting to the State and referrals to PCP.
4. EO in effect until the end of the State of Emergency.

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Post Emergency Declaration

MPA Executive Board has not made its final determination of “which” issues that are going to be pursued legislatively. Currently considering::

1. Ability for pharmacists to administer medications (including vaccines) as part of the pharmacist’s scope of practice.
2. Emergency refills on non-controlled, maintenance medications.
3. Remote precepting of student pharmacists.

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Post Emergency Declaration

4. Ability to order tests – COVID-19 as well as other lab tests.
5. Point of Care testing.
6. Other scope issues – i.e. contraception.

Politics will guide success to these efforts in an already divided government – between the Governor and the Legislature. Interesting Lame Duck Session is guaranteed - especially if control of Michigan House flips as a result of Nov. election.

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