

March 30, 2022

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

Dear Speaker Pelosi and Leader McCarthy:

On behalf of our nation's more than 300,000 pharmacists, and our patients, our organizations write to urgently request the U.S. Congress immediately take action to fully fund the Health Resource & Services Administration's (HRSA) COVID-19 Uninsured Program and provide clarification that any currently unpaid claims will receive priority for reimbursement. Without this critical funding, we will be severely challenged to continue to provide equitable access to COVID-19 vaccinations and services to one of our nation's most vulnerable patient populations, the uninsured.

As you may know, HRSA recently issued a March 16, 2022 [notice](#) to pharmacists and other health care practitioners that the COVID-19 Uninsured Program is no longer accepting claims for COVID-19 testing and treatment, beginning **March 22, 2022**, at 11:59 p.m. ET, due to a lack of sufficient funds.

HRSA's notice also states [the COVID-19 Uninsured Program](#) and [the COVID-19 Coverage Assistance Funds](#) will stop accepting COVID-19 vaccination claims, next week, beginning **April 5, 2022**, at 11:59 p.m. ET, due to a lack of sufficient funds.

Our nation's pharmacists have delivered the majority of COVID-19 vaccines as well as many COVID-19 tests and treatments. For example, California has the largest number of confirmed COVID-19 cases at 9.09 million with over 72 million vaccines administered—many of which were provided by our nation's, trusted local pharmacists and pharmacy teams.

The [provider contract agreement](#) between HHS and pharmacies for COVID-19 services requires pharmacists to provide COVID-19 products (vaccination, testing, treatments, etc.) free of charge "regardless of the vaccine recipient's ability to pay." Consequently, after April 5, 2022, pharmacies and other health care practitioners will no longer have a mechanism to file uninsured claims for providing COVID-19 services. COVID-19 and continuing negative payment pressures created by pharmacy benefit manager (PBM)

payment policies is jeopardizing the sustained access to community-based patient care providers.

The increased reliance of the federal government on our nation's pharmacists has stretched their staff and resulted in a backlog of claims awaiting submission. By being willing to provide their services and serve this patient population, pharmacy deserves clarity on how the process will be maintained going forward and to be assured of compensation.

The sudden notice and short timeline for submitting these HRSA claims is unfortunate, and Congress needs to ensure that HRSA can make pharmacies whole for work that has already been completed and ensure the availability of these services to the uninsured.

Optum of UnitedHealth Group has also informed us that HRSA is withholding payment of all claims for monoclonal antibody treatments for REGEN-COV treatments that have already been administered by pharmacies, in light of the Food and Drug Administration's (FDA) modification to the emergency use authorization (EUA). FDA's original EUA found REGEN-COV was very effective against the Delta variant, however, FDA found it was not effective against the Omicron variant. This was after pharmacists had already administered REGEN-COV treatments to hundreds of uninsured patients when this product was still approved under the earlier EUA. Many pharmacies went out of their way retooling and setting up special separate areas, personal protective equipment (PPE), and instituting new patient care processes, at great expense, in order to administer these monoclonal antibodies to these uninsured patients and monitor them for an hour to ensure patient safety. Despite these valiant efforts, HRSA has informed us those claims submitted by these deadlines will only be paid "subject to eligibility and availability of funds," which indicates that pharmacies may not be reimbursed for the many hours of work that has already been completed and that undoubtedly saved uninsured patients' lives.

In addition, this week, FDA [authorized](#) a fourth dose of the mRNA SARS-CoV-2 vaccine for adults ages 50 and older and immunocompromised individuals. The authorization means a second booster shot is recommended for most of these Americans, including the uninsured, of either the Pfizer-BioNTech or Moderna vaccines.

Unquestionably, now is not the time to cut off equitable access to necessary COVID-19 services for our nation's vulnerable uninsured populations who lack access to private health insurance to cover these COVID-19 vaccinations and services.

On behalf of our nation's pharmacists, and the millions of uninsured and vulnerable patients across our country, **we implore you to immediately pass legislation to fully fund the COVID-19 Uninsured Program and the COVID-19 Coverage Assistance Funds to ensure we can continue to provide the COVID-19 testing, treatments and vaccinations necessary in the fight to prevent future variants and ultimately**

defeat COVID-19. Funding should include instructions permitting health care practitioners to continue to file claims for uninsured individuals to HRSA's Uninsured Program for provision of COVID-19 services and processes for HRSA to backpay these claims as soon as additional funding becomes available.

We look forward to hearing from you soon on your plans to fully fund these vital COVID-19 programs necessary to save the lives of our nation's uninsured populations.

Sincerely,

American Pharmacists Association (APhA)
American College of Clinical Pharmacy (ACCP)
American Society of Consultant Pharmacists (ASCP)
American Society of Health-System Pharmacists (ASHP)
The National Alliance of State Pharmacy Associations (NASPA)
National Community Pharmacists Association (NCPA)
National Pharmaceutical Association (NPhA)
Alabama Pharmacy Association
Alaska Pharmacists Association
Arizona Pharmacy Association
California Pharmacists Association
Florida Pharmacy Association
Illinois Pharmacists Association
Indiana Pharmacists Association
Kansas Pharmacists Association
Kentucky Pharmacists Association
Michigan Pharmacists Association
Minnesota Pharmacists Association
Nebraska Pharmacists Association
Nevada Pharmacy Alliance
New Jersey Pharmacists Association
North Carolina Association of Pharmacists
North Dakota Pharmacists Association
North Dakota Pharmacy Service Corporation
Oklahoma Pharmacists Association
Oregon State Pharmacy Association
Pennsylvania Pharmacists Association
South Dakota Pharmacists Association
Tennessee Pharmacists Association
Texas Pharmacy Association
Washington State Pharmacy Association
Pharmacy Society of Wisconsin

cc:

The Honorable Rosa DeLauro, Chair, U.S. House Committee on Appropriations

The Honorable Kay Granger, Ranking Member, U.S. House Committee on Appropriations

The Honorable Charles Schumer, Majority Leader, U.S. Senate

The Honorable Mitch McConnell, Minority Leader, U.S. Senate

The Honorable Patrick Leahy, Chair, U.S. Senate Committee on Appropriations

The Honorable Richard Shelby, Vice-Chair, U.S. Senate Committee on Appropriations