

**Congress of the United States**  
**Washington, DC 20515**

March 21, 2020

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

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

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
S-230, The Capitol  
Washington, D.C. 20510

The Honorable Chuck Schumer  
Minority Leader  
U.S. Senate  
S-221, The Capitol  
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader McConnell, and Leader Schumer:

During this ongoing public health emergency due to COVID-19, pharmacists stand ready and able to help stop this pandemic. Currently, many pharmacists are serving on the front line and are already helping Americans at pharmacies across the nation.

We are writing to urge you to support our efforts to provide authority for pharmacist provider status under Medicare Part B to allow pharmacists prescriptive authority and health testing capabilities to address the COVID-19 virus as well as flu, strep, and other minor ailments for the duration of this public health emergency. This would go far in optimizing pharmacies to help address the outbreak, as well as relieving the stress on our health care system, and helping our most vulnerable population.

The enclosed language would provide the statutory authority needed to ensure that pharmacists can practice to the top of their license in meeting our nation's COVID-19 needs, as well as other services that can help alleviate the mounting pressures on health care providers. This provision would complement and accelerate that work by making sure pharmacists and pharmacies are utilized to the fullest.

We greatly appreciate your consideration of this important request to help ensure that our nation is as responsive as possible to the quickly mounting needs of those impacted by COVID-19.

***SEC. 2. Emergency MEDICARE COVERAGE OF PHARMACIST SERVICES.***

*(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act ([42 U.S.C. 1395x\(s\)\(2\)](#)) is amended—*

*(1) by striking “and” at the end of subparagraph (FF);*

*(2) by adding “and” at the end of subparagraph (GG); and*

(3) by inserting after subparagraph (GG) the following new subparagraph:  
“(HH) pharmacist services furnished by a pharmacist, as licensed by State law, individually or on behalf of a pharmacy provider—

“(i) as would otherwise be covered under this part if furnished by a physician, or as an incident to a physician’s service; and

“(ii) for the provision of services to reduce strain on the health care system during the crisis including:

- a. Health Tests: testing for COVID-19, flu, strep, and minor ailments
- b. Treatment through prescriptive authority: initiate treatment for beneficiaries with acute or chronic conditions
- c. And other services at the discretion of the Secretary

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act ([42 U.S.C. 1395l\(a\)\(1\)](#)) is amended—

(1) by striking “and (BB)” and inserting “(BB)”; and

(2) by inserting before the semicolon at the end the following: “, and (CC) with respect to pharmacist services (as defined in section 1861(s)(2)(HH)), the amounts paid shall be equal to 80 percent of the lesser of the actual charge or 85 percent of the fee schedule amount provided under section 1848 if such services had been furnished by a physician”.

(c) EFFECTIVE DATE; PHARMACIST SPECIFIC CODES.—

(1) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to services furnished on or after January 1, 2018.

(2) PHARMACIST SPECIFIC CODES.—The Secretary of Health and Human Services shall develop pharmacist specific codes, as necessary, under the physician fee schedule under section 1848 of the Social Security Act ([42 U.S.C. 1395w-4](#)).

CC: The Honorable Frank Pallone, Chairman, House Energy and Commerce Committee  
The Honorable Greg Walden, Ranking Member, House Energy and Commerce Committee  
The Honorable Richard Neal, Chairman, House Ways and Means Committee  
The Honorable Kevin Brady, Ranking Member, House Ways and Means Committee  
The Honorable Chuck Grassley, Chairman, Senate Finance Committee  
The Honorable Ron Wyden, Ranking Member, Senate Finance Committee  
The Honorable Ron Portman  
The Honorable Debbie Stabenow

Sincerely,



Earl L. “Buddy” Carter  
Member of Congress



Brett Guthrie  
Member of Congress



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David Loeb sack  
Member of Congress

Don Bacon  
Member of Congress

Adrian Smith  
Member of Congress

Jim Banks  
Member of Congress

John Shimkus  
Member of Congress

Brian Fitzpatrick  
Member of Congress

Rick Crawford  
Member of Congress

Glenn "GT" Thompson  
Member of Congress

David McKinley, P.E.  
Member of Congress

Guy Reschenthaler  
Member of Congress

Kelly Armstrong  
Member of Congress

Ben Cline  
Member of Congress

Robert Aderholt  
Member of Congress

Tim Burchett  
Member of Congress

Vern Buchanan  
Member of Congress

Doug Collins  
Member of Congress

Greg Gianforte  
Member of Congress

Robert B Aderholt  
Member of Congress

Joe Wilson  
Member of Congress

Bruce Westerman  
Member of Congress

Christopher Smith  
Member of Congress

Nydia Velazquez  
Member of Congress

Donna Shalala  
Member of Congress

H. Morgan Griffith  
Member of Congress

Mario Diaz Balart  
Member of Congress

Fred Keller  
Member of Congress

Clay Higgins  
Member of Congress

Pete Olson  
Member of Congress

French Hill  
Member of Congress

Phil Roe, M.D.  
Member of Congress

John Rose  
Member of Congress

Vincente Gonzalez  
Member of Congress

Stephen F. Lynch  
Member of Congress