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July 28, 2023

**SUMMARY OF COMMENTS RECEIVED REGARDING
PROPOSED RULE FOR 15 CSR 7 AND
RESPONSES OF THE WV BOARD OF PHARMACY**

The proposed rules for 15 CSR 7 were filed for a Notice of Comment Period of proposed rule 15 CSR 7 on June 27, 2023 and the comment period closed July 28, 2023 at 8:00 am. The Board received one comment on the proposed rule. A copy of this summary is being provided to the commenter.

Commenter 1: Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer
National Association of Chain Drug Stores
1776 Wilson Blvd., Suite 200
Arlington, VA 22209

Submitted via JMCCormack@nacds.org

Comment 1 (on 15 CSR 12 (Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians) and 15 CSR 07 (Registration of Pharmacy Technicians)):

For the reasons outlined in these comments [maintain access to the level of immunization services that pharmacies have provided, vital role that pharmacies play in delivering healthcare services to the public] NACDS strongly supports the proposed changes to 15 CSR 12 and to 15 CSR 07 that will enable pharmacy personnel to continue to provide essential vaccines services to West Virginians and we urge the Board to finalize this rulemaking.

Response 1: The Board appreciates the support for the proposed changes to 15 CSR 12 and to 15 CSR 07 and the extensive work that pharmacists and pharmacy staff have done providing immunizations and public health services to WV patients.

Comment 2 (on 15 CSR 12 (Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians) and 15 CSR 07 (Registration of Pharmacy Technicians)) Specifically requiring the training programs to be Board-approved:

When updating these rules, we further ask the Board to consider whether this rulemaking proceeding also presents an opportunity to streamline the processes related to the regulation of immunization training programs. Specifically, language in 15 CSR 12-4 and in 15 CSR 12-8 specifies that the Board must approve immunization training programs for pharmacists and pharmacy technicians. Considering the concurrent requirements for training programs to cover specified topics and in the case of pharmacy technicians, to be accredited by Accreditation Council for Pharmacy Education, eliminating the requirement for the Board to (additionally) approve the training program will help to simplify administrative requirements that the Board takes on in this regard. We therefore encourage the Board to streamline the rules by eliminating the language that requires Board approval of immunization training programs.

Response 2: The Board recognizes the need for efficiency with training programs. However, Accreditation Council for Pharmacy Education does not ensure that the program meets WV legislative rule requirements for training. The Board has taken steps to evaluate programs utilized for training pharmacy technicians during the Federal COVID-19 state of emergency and is working with pharmacies to make certain pharmacy technicians receive adequate appropriate training as required by legislative rule ensure the health and safety of patients in WV.



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

July 24, 2023

Krista Capehart
Director of Professional and Regulatory Affairs
West Virginia Board of Pharmacy
1207 Quarrier Street, 4th Floor
Charleston, WV 25301

Submitted via Krista.D.Capehart@wv.gov

Re: Proposed Rule Changes to 15 CSR 12 (Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians) and 15 CSR 07 (Registration of Pharmacy Technicians)

Dear Ms. Capehart,

The National Association of Chain Drug Stores (NACDS) is writing to express our strong support for the proposed changes to 15 CSR 12 and to 15 CSR 07 which together, would align the pharmacy rules with statutory changes enacted in 2023 authorizing pharmacists and pharmacy technicians to administer ACIP-recommended vaccines to persons 3 years and older. In codifying these authorities for pharmacy personnel, these policy changes will help to maintain access to the level of immunization services that pharmacies have provided to West Virginians in recent years under the temporary federal PREP Act allowances for pharmacy personnel. Doing so will help support pharmacies' ability to meet increasing public demand for vaccine services and pharmacy care into the future.

Leveraging pharmacies – one of the most accessible health destinations for the public – has helped to increase vaccination rates and improve access to care over the last two decades. With the contributions of the full pharmacy team, pharmacy providers have provided nearly 305 million COVID-19 vaccines to date.¹ For children ages 5-11, the CDC reports pharmacy providers administered 46% of all COVID-19 vaccine doses and 12% of seasonal influenza vaccines.² Pharmacies have also been especially effective at connecting patients who are disproportionately impacted by inequitable access to healthcare services to needed vaccine services. In fact, more than 40% of individuals vaccinated for COVID-19 at pharmacies were from racial and ethnic minority groups.³

The vital role that pharmacies play in delivering healthcare services to the public is increasingly evident. Cemented by the experience of the COVID-19 pandemic, more and more West Virginians rely on their local pharmacy for necessary care access, including for vaccines, testing services, health screenings, and other important clinical care. By permanently codifying the authority for pharmacists, and pharmacy technicians, to continue to assist pharmacists with vaccine administration efforts for patients as young as 3 years of age, this rulemaking will help to ensure that pharmacies can continue to provide the level of patient care services that the public now expects and relies on at their neighborhood pharmacy.

For the reasons outlined in these comments, NACDS strongly supports the proposed changes to 15 CSR 12 and to 15 CSR 07 that will enable pharmacy personnel to continue to provide essential vaccines services to West Virginians and we urge the Board to finalize this rulemaking.

¹ <https://www.cdc.gov/vaccines/covid-19/retail-pharmacy-program/index.html>

² <https://www.cdc.gov/mmwr/volumes/71/wr/mm7119a4.htm>

³ GAO, Federal Efforts to Provide Vaccines to Racial and Ethnic Groups, available at <https://www.gao.gov/assets/gao/22/105073.pdf>

When updating these rules, we further ask the Board to consider whether this rulemaking proceeding also presents an opportunity to streamline the processes related to the regulation of immunization training programs. Specifically, language in 15 CSR 12-4 and in 15 CSR 12-8 specifies that the Board must approve immunization training programs for pharmacists and pharmacy technicians. Considering the concurrent requirements for training programs to cover specified topics and in the case of pharmacy technicians, to be accredited by Accreditation Council for Pharmacy Education, eliminating the requirement for the Board to (additionally) approve the training program will help to simplify administrative requirements that the Board takes on in this regard. **We therefore encourage the Board to streamline the rules by eliminating the language that requires Board approval of immunization training programs.**

We thank the Board for the opportunity to share our perspectives on this important matter. If you have any questions or need additional information, please contact NACDS' Jill McCormack at JMcCormack@nacds.org or 717-592-8977.

Sincerely,



Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer
National Association of Chain Drug Stores

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NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate nearly 40,000 pharmacies, and NACDS' chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 155,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 21 countries. Please visit: NACDS.org.