



SPENCER J. COX
Governor

DEIDRE M.
HENDERSON
Lieutenant Governor

State of Utah Department of Commerce

Division of Occupational and Professional Licensing

MARGARET W. BUSSE
Executive Director

MARK B. STEINAGEL
Division Director

Pharmacy COVID-19 Guidance Update January 17, 2022

The Utah Board of Pharmacy, the Department of Health (DOH), and the Division of Occupational and Professional Licensing (DOPL) recognize the widespread presence of the Omicron variant of the COVID-19 virus may significantly impact the ability of our pharmacy professionals to staff pharmacies and provide care to patients. Our primary concern is to ensure the safety of patients while maintaining patient access to medications and preserving the workforce. Each employer should consider creating a Workforce Contingency and Crisis Staffing Plan to ensure pharmacies are able to continue safely providing pharmacy services to patients. There are some current laws and rules that allow for some flexibility. Workforce Contingency and Crisis Staffing Plans help guide which services each pharmacy will offer in the event of a staffing crisis and guidelines employers will use to allow employees exposed to or with COVID-19 to reenter the workforce in accordance with CDC guidance for managing healthcare personnel. These decisions should be personalized depending on the COVID circumstances in your area, company decisions, and the services available. For example, the pharmacy may consider temporarily reducing services or hours. Patients may be directed to other healthcare locations or the [Utah Coronavirus website](#) for testing and vaccine services if there is only enough staffing to fill prescriptions. Under contingency and crisis staffing conditions, plans might include allowing individuals exposed to COVID-19 to return to work early with certain precautions in place or even allow individuals with asymptomatic or mild COVID-19 to continue to work in ways that reduce risk, such remote work. We have created a list of items to consider as you work to create Workforce Contingency and Crisis Staffing Plan.

- Governor Cox held a press conference on 1/14/2022 [here](#) that indicated not all Utahns need to be tested if they have symptoms of the COVID-19 virus. These are the key topics from this press conference:
 - The virus is prevalent throughout Utah and anybody who has symptoms should assume they are positive for COVID-19.
 - The majority of people who are symptomatic do not need to test and instead should isolate at home for five days.
 - An exposed or symptomatic person who has an underlying health condition and is high-risk for severe disease should seek testing.
 - Exposed or symptomatic individuals visiting vulnerable individuals at high-risk for severe disease or those who work in health care or congregate living settings.
- Licensed pharmacy technicians and interns may work remotely under the general supervision of a Utah licensed pharmacist where they are able to readily contact a pharmacist by phone or electronically for questions. A licensed Utah Pharmacist must be present in the pharmacy where the technician works. A remote pharmacist may not

supervise technicians in a pharmacy unless the pharmacy is licensed as a Remote Dispensing Pharmacy.

- Utah Code §[58-17b-102 \(56\)](#) "Practice as a licensed pharmacy technician" means engaging in practice as a pharmacy technician under the general supervision of a licensed pharmacist and in accordance with a scope of practice defined by division rule made in collaboration with the board.
- Pharmacy Interns may practice under General Supervision during the declared public health emergency, per the Pharmacy Practice Exemptions on [DOPL's COVID-19 webpage](#). General Supervision is defined in Utah Admin Code R156-1-102a Global Levels of Supervision
Utah Admin. Code § R156-1-102a (4)(c) "General supervision" means that the supervising licensee:
 - (i) has authorized the work to be performed by the person being supervised;
 - (ii) is available for consultation with the person being supervised by personal face-to-face contact, or direct voice contact by electronic or other means, without regard to whether the supervising licensee is present in the facility or located on the same premises where the person being supervised is providing services;
 - (iii) can provide any necessary consultation within a reasonable period of time; and
 - (iv) personal contact is routine.
- A pharmacist may provide direct supervision for up to two pharmacy technician trainees as long as there is a licensed pharmacy technician or intern working the same shift. This is allowed per the Pharmacy Practice Exemption during the declared public health emergency on [DOPL's COVID-19 webpage](#).
- Temporary enforcement discretion for Face to Face Counseling requirements during the declared public health emergency allows a pharmacist to use their clinical judgment to determine how to provide counseling by alternative communication methods.
- Consider mailing or delivering prescriptions to patients via a courier. The following requirements should be met.
 - Utah Admin. Code § R156-17b-608. Common Carrier Delivery.
A pharmacy that employs the United States Postal Service or other common carrier to deliver a filled prescription directly to a patient shall, under the direction of the PIC, RDPIC, DMPIC, or other responsible employee:
 - (1) use adequate storage or shipping containers and shipping processes to ensure drug stability and potency. The shipping processes shall include the use of appropriate packaging material and devices, according to the recommendations of the manufacturer or the United States Pharmacopeia Chapter 1079, in order to

- ensure that the drug is kept at appropriate storage temperatures throughout the delivery process to maintain the integrity of the medication;
- (2) use shipping containers that are sealed in a manner to detect evidence of opening or tampering;
 - (3) develop and implement policies and procedures to ensure accountability, safe delivery, and compliance with temperature requirements. The policies and procedures shall address when drugs do not arrive at their destination in a timely manner or when there is evidence that the integrity of a drug was compromised during shipment. In these instances, the pharmacy shall make provisions for the replacement of the drugs;
 - (4)(i) provide for an electronic, telephonic, or written communication mechanism for a pharmacy to offer counseling to the patient as defined in Section 58-17b-613; and (ii) provide documentation of such counseling; and
 - (5) provide information to the patient indicating what the patient should do if the integrity of the packaging or drug was compromised during shipment.
- Supportive Personnel may be utilized to perform some operational functions of the pharmacy under the supervision of a licensed pharmacist present in the pharmacy as described in Utah Admin. Code § R156-17b-607.
 - Prescriptions for legend drugs may be transferred by the pharmacist, pharmacy intern per Utah Admin. Code § R156-17b-612 (5). The board has approved the communication of transfer information via fax as long as the licensed pharmacy professionals communicate by phone to confirm necessary information, as needed.
 - Here are some other considerations for the Workforce Contingency and Crisis Staffing Plan:
 - If the pharmacy experiences a staffing shortage, it is recommended that each pharmacy has an implemented crisis capacity strategy in order to continue to provide patient care.
 - Implement a Return to Work plan based on your company's guidelines or consider [CDC guidelines for Healthcare settings](#) and [CDC guidelines for the general public](#). The Utah Board of Pharmacy, DOPL and the DOH share the concerns related to reports of untenable workloads and staffing shortages. We encourage pharmacists and pharmacy technicians to provide detailed accounts of their concerns to their employers in a professional manner. Pharmacy owners that show a disregard for patient safety of Utah laws and rules may be reported to DOPL [here](#).

Pharmacies are a critical service to our state. We convey our gratitude and admiration to the many pharmacy professionals who have provided vaccines and testing throughout this pandemic.

