



MISSISSIPPI DIVISION OF
MEDICAID

Public Comments

Mississippi Division of Medicaid

MS SPA 20-0013 Vaccines

October 9, 2020

Margaret Wilson
Division of Medicaid
550 High St., Suite 1000
Jackson, MS 39201
Via email: Margaret.Wilson@medicaid.ms.gov

Re: Proposed Rule Changes under Title 23: Medicaid, Part 222: Immunizations, Chapter 1: General, Rules 1.3-1.7

Dear Ms. Wilson,

On behalf of our chain pharmacy members providing critical pharmacy services to Medicaid beneficiaries in the state of Mississippi, the National Association of Chain Drug Stores (“NACDS”) thanks the Division of Medicaid (“Division”) for the opportunity to comment on the proposed rule changes under Title 23: Medicaid, Part 222: Immunizations, Chapter 1: General, Rules 1.3-1.7 relating to immunizations covered by Medicaid. Given the critical role of pharmacy providers in expanding access to vaccine, we appreciate the Division considering our input on this important rulemaking.

NACDS commends the Division for proposing to expand coverage of vaccine services in the pharmacy setting for Medicaid enrolled children. Pharmacies play a vital role in public health efforts to vaccinate the public and to stop the spread of vaccine preventable diseases. Across the state of Mississippi, neighborhood pharmacies with flexible night and weekend hours provide critical access to needed immunization services – especially in rural and urban communities where there is a shortage of primary care providers. Given that 91 percent of the population lives within five miles of a community pharmacy, pharmacists are the most accessible healthcare provider to most Americans.

While we appreciate the Division proposing rule changes that will now cover vaccines provided to Medicaid eligible children in the pharmacy setting, we are concerned that certain provisions in the proposed rule may inadvertently limit access to vaccine services provided by pharmacies. Specifically:

1. Requiring pharmacies to be Vaccines for Children (VFC) program providers may inadvertently impede pharmacies' abilities to provide immunization services to Medicaid beneficiaries given the historical and ongoing barriers to pharmacy participation in the VFC program.

2. Limiting coverage in the pharmacy setting to include only Medicaid beneficiaries ages 10-18 years prevents parents of younger children who are covered by Medicaid from obtaining vaccine services that pharmacists are authorized to provide to the broader population of children ages 3-9 years old pursuant to the recent Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19.

We urge the Division to remedy these issues as it works to finalize the rulemaking.

I. Mandatory enrollment in the VFC program undermines beneficiary access to vaccine services in the pharmacy setting.

Under Rule 1.7 (B), the Division has proposed to cover vaccines "only if the pharmacy is a Vaccine for Children (VFC) provider." We have serious concerns that imposing such a requirement could perpetuate limited access to vaccine services for Medicaid enrolled children in pharmacy settings given the historical and ongoing challenges with pharmacy participation in the VFC program. At the program's inception, it was envisioned and designed to facilitate access to childhood vaccines through physician offices and public health clinic settings. Thus, there are many logistical and administrative program components that are inconsistent with pharmacy operations.

While the pharmacy community continues to welcome any opportunity to work with state and federal public health officials to address these impediments to pharmacy participation in the VFC program, it is not feasible for this to be accomplished before the proposed effective date of December 1, 2020 for this rulemaking. Furthermore, even if pharmacies were able to overcome these participation challenges, it is not realistic to expect that Mississippi State Department of Health would then be able to enroll upwards of 1300 community pharmacies across the state as VFC providers.

Recommendation: In light of these significant obstacles to pharmacy participation in the VFC program, we urge the Division not to mandate enrollment in the VFC program as a condition of Medicaid pharmacy providers providing vaccine services to Medicaid enrolled children.

II. Consistent with recent federal action enabling the broader public to obtain vaccine services for children ages 3 and older at local pharmacies, Medicaid should cover vaccine services provided in the pharmacy setting for children in this age range.

Recognizing the integral role of pharmacists in reaching the broader population, the federal government exercised emergency authority under the Public Readiness and Emergency Preparedness Act (PREP Act) to ensure that the public can obtain needed vaccines from their trusted local pharmacies. Through emergency declaration and guidance

1, the United States Health and Human Services Department explicitly authorized state-licensed pharmacists to order and administer, and pharmacy interns to administer, both COVID-19 vaccinations to those 3 years and older, as well as any vaccine that the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP) recommends to those 3-18 years of age².

We are concerned that under Rule 1.7 (B), the Division has proposed *only* to cover pharmacy provided vaccines for children who are “beneficiaries ten (10) to eighteen (18) years of age...” This age range limitation would prevent pharmacies from providing needed vaccine services to individuals ages 3-9 years of age who are covered by Medicaid. Especially considering the numerous reports that childhood vaccine rates are down during the COVID-19 pandemic, it is critical that parents of Medicaid beneficiaries have convenient and accessible options for where they can take their children to get vaccinated – including their neighborhood pharmacies.

Recommendation: NACDS urges the Division to remedy this inconsistency and allow families with children ages 3 years and older who are covered by the Medicaid program to obtain vaccine services in the pharmacy setting. Ensuring that the general public has broad access to childhood vaccine services is especially critical given the numerous reports across the country on how childhood vaccine rates are down during the COVID-19 pandemic.

In conclusion, considering the numerous benefits of improving access to the full array of vaccine services offered by pharmacy providers, it is critical that children covered under Medicaid have broad and equitable access to vaccines provided in the pharmacy setting. NACDS thanks the Division for considering our comments on this proposed rule. We welcome the opportunity to discuss this matter further; for follow-up, please contact NACDS’ Leigh Knotts, Director of State Government Affairs, at (803) 243-7207 or lknotts@nacds.org.

Sincerely,

Steven C. Anderson, FASAE, IOM, CAE
President and Chief Executive Officer

1 <https://www.hhs.gov/sites/default/files/licensed-pharmacists-and-pharmacy-interns-regarding-covid-19-vaccines-immunity.pdf>

2 <https://www.hhs.gov/sites/default/files/third-amendment-declaration.pdf>
