

# Advocacy During a Pandemic: *Keeping our Voices Heard*

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Mount Sinai West

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# Disclosures

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- ▶ Karen Berger: Nothing to disclose
- ▶ Andrew Kaplan: Nothing to disclose



# Pharmacist and Technician Objectives

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- ▶ Describe legislation affecting pharmacy during the COVID-19 pandemic
- ▶ Identify changes to grassroots advocacy during COVID-19 that allowed continuation of legislative visits
- ▶ Review resources to support grassroots efforts, both during and after a pandemic



# COVID-19 in NYC and NY State



**U.S. Surgeon General** @Surgeon\_General · Feb 29

Seriously people- STOP BUYING MASKS!

They are NOT effective in preventing general public from catching [#Coronavirus](#), but if healthcare providers can't get them to care for sick patients, it puts them and our communities at risk!

## *New York Orders Residents to Wear Masks in Public*

Gov. Andrew M. Cuomo said all New Yorkers must wear face coverings when social distancing is not possible, including on public transport, in stores and on crowded sidewalks.

## Factbox: California, New York and Illinois 'stay at home' orders - What's allowed?

U.S. | NEW YORK | CRIME

### New York City Has Logged 248 Complaints of Coronavirus Discrimination

Majority of reports were made in March and April; about 42% have been specifically anti-Asian

## Report: New York City Running Out of Morgue Space as COVID-19 Deaths Rise

Morgues in New York City are expected to reach capacity by next week as deaths mount from coronavirus, Politico reports.

By [Alexa Lardieri](#) | March 25, 2020, at 3:33 p.m.

EDITORS' PICK | Mar 6, 2020, 01:43am EST | 495,747 views

## Is COVID-19 Coronavirus Leading To Toilet Paper Shortages? Here Is The Situation



**Bruce Y. Lee** Senior Contributor

Healthcare

*I am a writer, journalist, professor, systems modeler, computational and digital health expert, avocado-eater, and entrepreneur, not always in that order.*

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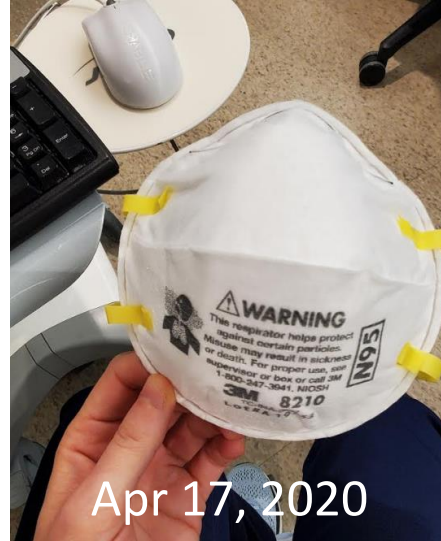
## *Coronavirus in N.Y.: 'Astronomical' Surge Leads to Quarantine Warning*

The White House advised people who have passed through or left New York City that they should place themselves in a 14-day quarantine.



# COVID-19 Hits NYC

March 21, 2020



Apr 17, 2020



# Leveraging Opportunities

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- ▶ As COVID-19 crisis progressed, increase in Governor's executive orders and state/federal COVID-19 bills
  - ▶ Included practice changes that optimized pharmacists' scope of practice
- ▶ Media attention on COVID-19–related legislation
  - ▶ Social media campaigns that referenced pharmacists' inclusion/omission
  - ▶ This energized and mobilized members to ask questions and seek out opportunities for advocacy



# Media attention on COVID-19–related legislation

## NEW YORK STATE

### Cuomo's in charge - and that's an order

The governor says it's his way or the highway, and he's losing patience with anyone who disagrees.

By REBECCA C. LEWIS | APRIL 16, 2020

### Maloney Sponsors Bill for Loan Forgiveness for Frontline Health Workers

By MARC BUSSANICH  
April 9, 2021 at 9:49 PM



NBC NEWS

### Pharmacists can give childhood vaccines, U.S. officials say



The Associated Press

August 19, 2020 · 3 min read



So important for pharmacists in New York to be able to administer all vaccines recommended by the CDC to help bridge the gap. Especially when a COVID vaccine is available.

In almost every other state EXCEPT NY, they can!

[NYSCHP.org/immunization](https://www.nyschp.org/immunization) for more information



NYTIMES.COM

### Vaccine Rates Drop Dangerously as Parents Avoid Doctor's Visits



Tim Church ▸ Pharmacy Staff for COVID-19 Support



Apr 27, 2020 · Definitely a lot of buzz around this!

forbes.com

Proposal: Forgive Student Loans For COVID-19 Health Care Workers



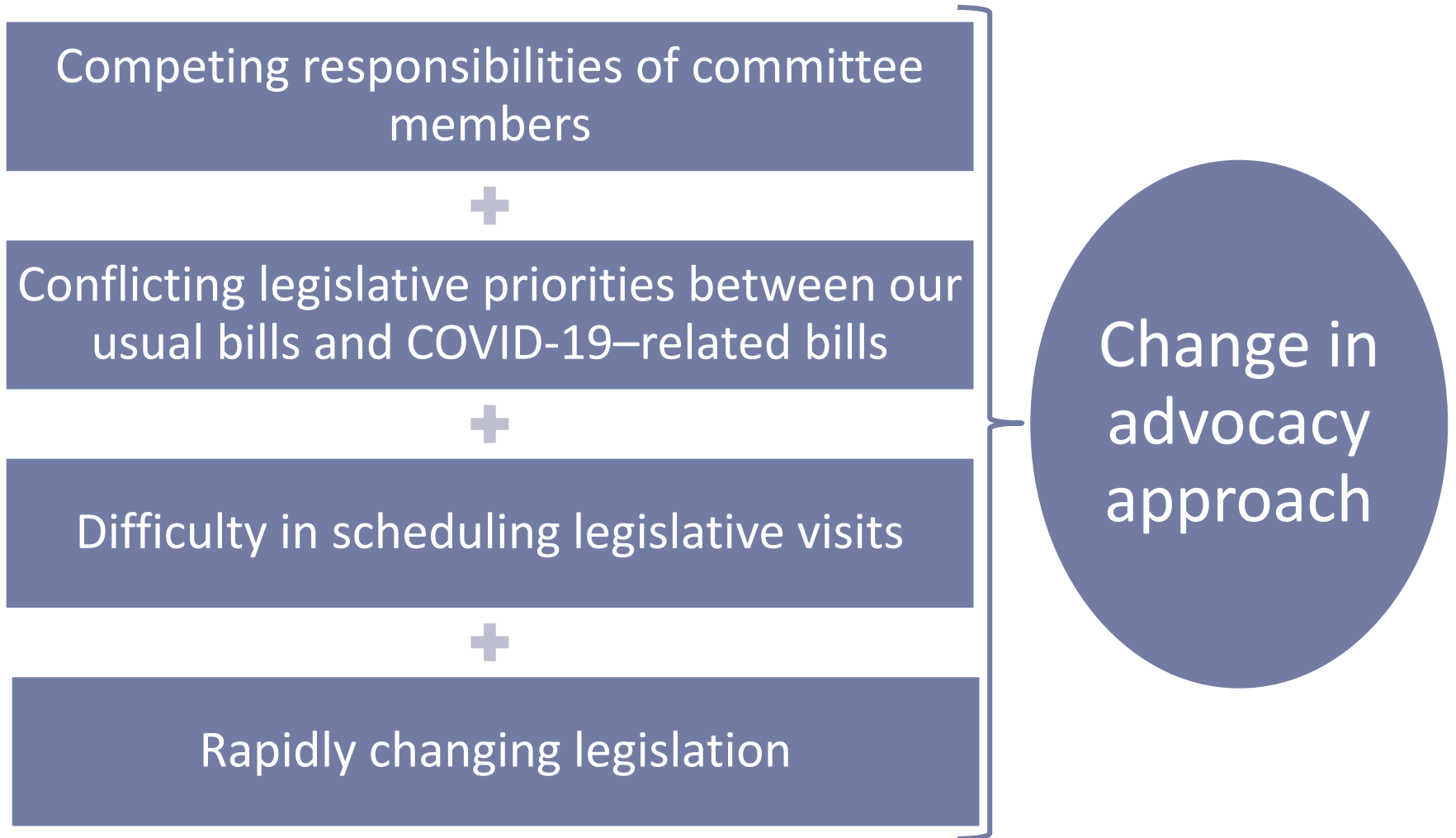
You, Eye-dill Pickle and 586 others

279 Comments



# COVID-19 Pandemic-related Advocacy Barriers

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# Actions

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- ▶ Assess how pharmacists could be incorporated into legislation
- ▶ Examine opportunities within legislation for practice advancement
- ▶ Ensure that pharmacies and pharmacists were included in potential budget considerations for COVID-19–related funding
- ▶ Adapt advocacy approach to pandemic
  - ▶ Changes to legislative visits
  - ▶ Improved methods of communicating with members
  - ▶ Coordinating with key stakeholders

# Legislative Visits



# Virtual Legislative Visits

- ▶ COVID-19 pandemic restricted in person activities
- ▶ Virtual visits maintain advocacy



# Virtual Visits

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- ▶ Coordinate with the legislator's office on virtual visits
  - ▶ Which technology will be used- phone vs virtual
  - ▶ Specific online platform for virtual meeting
  - ▶ Who will be sending the invite (member vs legislator)
- ▶ Test the platform with all participants before the meeting
  - ▶ Join 10-15 min early
- ▶ Confirm total number of participants planning to attend
  - ▶ Send invitation link only to that group
  - ▶ Consider  $\leq 10$  participants to minimize technological difficulties
- ▶ Ask permission to take a screenshot for social media posting
- ▶ Solicit questions from the legislator

# Communication Challenges

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- ▶ New guidelines, redeployment of staff, new dispensing models, and massive influx of critically ill patients
- ▶ Rapidly changing regulatory landscape
  - ▶ Scope of pharmacy practice modified by local, state, or federal governments
- ▶ Updates from facility, health system, group purchasing organizations, and social media
  - ▶ These sources do not always align
  - ▶ May have different interpretations and applications of the new laws

***Results in unmanageable amount of information that may be overly complex, not applicable to a pharmacist's profession or practice site, and difficult to digest***

# Storylines – 3/10/2020

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- ▶ Reaching out to FDA to get IND Remdesivir
- ▶ Pharmacy ordered masks and Materials hoarded them
- ▶ Building Remdesivir in Epic
- ▶ Cafeterias closed to non-employees
- ▶ Stockpiling antimicrobials
- ▶ No more travel
- ▶ Asking Labor for virtual verification
- ▶ Asking Labor about remote work
- ▶ Students pulled from rotation
- ▶ Starting daily touch-base on COVID
- ▶ Setting up VPN's for everyone
- ▶ Tackle boxes with nebulizers

**Re: Tackle Box for supportive meds**

To [REDACTED]

Cc [REDACTED]

[Bing Maps](#) + [Get more apps](#)

**USE CAUTION: External Message.**

Dr [REDACTED] stayed due to the risk of aerosolization, they are preferring MDI [mshspn.mountsinai.org](http://mshspn.mountsinai.org).





# NYSCHP Communication

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## Typical

- Newsletters
- Social media posts
- Broadcast emails
  
- *All originate from a variety of contributing individuals*

## During Pandemic

- ↑ frequency of emails
- Focused updates on state exec orders/new regulatory actions and their impact on pharmacy practice
- Coordinated with key stakeholders (BOP, SOP, state agencies, other organizations)

BOP = board of pharmacy; SOP = schools of pharmacy

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# NYSCHP Communiqués: COVID Testing

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**May 15, 2020**

NYSCHP would like to share some updates with you:

## Pharmacist Testing for COVID

- The Governor's Executive Order authorizes pharmacist to order tests to detect SARS-CoV-2 or its antibodies, and administer CLIA-waived COVID-19 tests
  - This is dependent on "*completion of appropriate training developed by the Department of Health*"
- The Department of Health is working on this training but it is not available yet. Therefore – as confirmed by the Board of Pharmacy – ordering/administering COVID test is **not yet** within the pharmacists' scope in NYS. When this is updated we will send something out ASAP



# NYSCHP Communiqués: Future COVID Vaccine

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**June 23, 2020**

On June 17, 2020, Governor Cuomo signed [S8182A](#) (Hoylman)/[A10508A](#) (Paulin) that authorizes pharmacists to administer a future vaccine against COVID-19. You can read our response to this legislation [HERE](#). NYSCHP supports the addition of COVID-19 to vaccines pharmacists can administer, but strongly believes the best method towards ensuring optimal public health is to authorize pharmacists to administer all vaccines recommended by the CDC, for which there are currently significant gaps in NYS.

**As a reminder:**

- Hepatitis A vaccine: NYS is the **ONLY STATE** which does not allow pharmacists to administer
- Hepatitis B vaccine: NYS is the **ONLY STATE** which does not allow pharmacists to administer
- MMR vaccine: NYS/WV are the **ONLY 2 STATES** which do not allow pharmacists to administer
- HPV vaccine: NYS/WV are the **ONLY 2 STATES** which do not allow pharmacists to administer
- Varicella vaccine: NYS/NH are the **ONLY 2 STATES** which do not allow pharmacists to administer

NYSCHP has requested the Governor issue an executive order to expand vaccine authority during the crisis (Read [HERE](#)); we believe it is even more acutely needed as many clinics, offices are closed.

We also support [S5227](#) (May)/[A6511](#) (Paulin), which would permanently expand pharmacist authority to all CDC-recommended vaccines, eliminate the unnecessary expiration date on the authority, remove the rule that the pharmacist needs an order from a provider in their county/adjointing county. Read our fact sheet [HERE](#). We are working with our coalition partners to ensure this critically needed authority is achieved.

**Andrew Kaplan, Pharm.D., BCPS, BCGP**  
Vice President of Public Policy

**Karen Berger, Pharm.D., FASHP, FCCM, BCPS, BCCCP**  
Chair, Grassroots Advocacy Committee

**Mike Milazzo, Pharm.D.**  
Chair, Public Policy Committee

**NYSCHP**  
New York State Council of  
Health-system Pharmacists



# Communication Best Practices

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- ▶ Be brief and relevant
- ▶ Support the individuals' professional duties
- ▶ Provide consistent messaging with clear explanations
- ▶ Identify dedicated individual/team for pandemic response
- ▶ Demonstrate how organization is supporting its members
- ▶ Identify issues that do not yet have a resolution and warrant further clarification
- ▶ Review social media ensure relevance during a pandemic
  - ▶ Third parties may be responsible for uploading content to social media (e.g.; Happy Chocolate Day!!)
- ▶ Create resource page with summary of all updates

# NY State Legislative Priorities

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- ▶ Usual Bills
  - ▶ Collaborative Drug Therapy Management (CDTM)
  - ▶ Immunization
- ▶ COVID-19-related bills/actions

# National vs State Legislation

## HHS Expands Access to Childhood Vaccines during COVID-19 Pandemic

The U.S. Department of Health and Human Services (HHS) [issued a third amendment - PDF\\*](#) to the Declaration under the Public Readiness and Emergency Preparedness Act (PREP Act) to increase access to lifesaving childhood vaccines and decrease the risk of vaccine-preventable disease outbreaks as children across the United States return to daycare, preschool and school.

"Today's action means easier access to lifesaving vaccines for our children, as we seek to ensure immunization rates remain high during the COVID-19 pandemic," said HHS Secretary Alex Azar. "The Trump Administration has worked to allow pharmacists—alongside all of America's heroic healthcare workers—to practice at the top of their license, empowering the public with more options to protect their



**Breaking News: Pharmacists Authorized to Order and Administer COVID-19 Tests, Regardless of State Law**

## Despite the Trump administration's new policy, many pharmacies still won't vaccinate children against flu



By [Elizabeth Cohen](#), [John Bonifield](#) and [Sierra Jenkins](#) CNN

🕒 Updated 10:58 AM ET, Mon October 26, 2020

▶ No practice changes took place

▶ <https://www.cnn.com/2020/10/25/health/pharmacy-kids-flu-shot-trump-policy/index.html>

<https://www.hhs.gov/about/news/2020/08/19/hhs-expands-access-childhood-vaccines-during-covid-19-pandemic.html>



## COVID-19 Related Legislation/Executive Action (NYS)

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- ▶ Part III exam moved to electronic (regulatory)
- ▶ Hydroxychloroquine dispensing (executive order)
  - ▶ Expired
- ▶ CPR/BLS can be done virtually (regulatory)
- ▶ Compounding hand sanitizer (executive order)
- ▶ Licensed but unregistered pharmacists (executive order)
- ▶ COVID-19 vaccine (legislation)
- ▶ COVID-19 testing by pharmacists (executive order)

# Pharmacist Immunization Authority in NYS

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- ▶ 2008: Influenza and pneumococcal vaccines for adults
  - ▶ 48<sup>th</sup> state to allow pharmacist administration of vaccines
- ▶ 2012: Acute herpes zoster
- ▶ 2013: Meningococcal disease
- ▶ 2015: Tetanus, diphtheria and pertussis
- ▶ 2018: Influenza to patients aged two years and above
- ▶ 2018: Interns may give vaccines
  - ▶ 48<sup>th</sup> state to allow this
- ▶ 2020: COVID-19



# Approval of Future COVID-19 Vaccine

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- ▶ Bill was passed within **one week** of being introduced in the legislature
- ▶ First time a vaccine was “preapproved” for administration by pharmacists
- ▶ 90-day mandatory wait period
  - ▶ Required Governor Executive Order at the last minute
- ▶ Still have many FDA-approved, CDC-recommended vaccines we cannot administer:
  - ▶ Hepatitis A, Hepatitis B, Measles/Mumps/Rubella (MMR), Human Papilloma Virus (HPV), Varicella (Chickenpox)
  - ▶ Our legislative priorities persist!

# Timeline of COVID-19 Vaccine Authority for Pharmacists

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**6/5/2020**

NYS Legislature added COVID-19 to list of vaccines (required **90 day** waiting period after FDA authorization)

**12/13/2020**

**6AM:** Pfizer began shipping to sites  
**9PM:** Cuomo issued Executive Order waiving the 90 day waiting period

**3/11/2021**

1<sup>st</sup> day pharmacists would have been able to give COVID-19 vaccine

**12/11/2020**

Pfizer vaccine got EUA

**12/14/2020**

1<sup>st</sup> vaccine given in NYS

<https://www.fda.gov/news-events/press-announcements/fda-takes-key-action-fight-against-covid-19-issuing-emergency-use-authorization-first-covid-19>

<https://nyassembly.gov/leg/?bn=A10508&term=2019>

<https://www.governor.ny.gov/news/no-20282-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>

# COVID-19 Testing

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- ▶ Authorized via Governor's Executive Order
- ▶ Pharmacists listed as “qualified healthcare professional” who may order and administer test (w/ training)
- ▶ Pharmacists can direct “Limited Service Laboratory”
- ▶ Ability to order and administer tests like this had been a legislative priority for pharmacy organizations in NY for years

## Rite Aid Opening Two COVID-19 Self-Swab Testing Sites In New York, New Jersey

Program: CBSN New York Categories: Health and Fitness, News, General, Local News, WCBSTV

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Berger K, Kaplan AS. *Am J Health-syst Pharm* 2020;77(22):1830-3.

<https://newyork.cbslocal.com/video/4517245-rite-aid-opening-two-covid-19-self-swab-testing-sites-in-new-york-new-jersey/>

# Collaborative Drug Therapy Management (CDTM)

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- ▶ CDTM law requires patient to provide **consent in writing**



ANDREW M. CUOMO  
Governor

HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

LISA PINO, M.A., J.D.  
Executive Deputy Commissioner



SHANNON L. TAHOE  
Commissioner

Accordingly, to practice CDTM, NYS Education Law §6801-a and 8 NYCRR §63.10, read in conjunction with ERSA, require, among other things:

- A written agreement between the pharmacist and a voluntarily participating physician in accordance with the policies, procedures, and protocols of the facility. This agreement may be signed electronically.
- Patient consent to the CDTM in writing. This consent, obtained from the patient or his/her authorized representative, may be made with the use of an electronic signature and must be noted on the patient's chart. However, in instances where an electronic signature is used to obtain CDTM consent, such consent must be obtained specifically for CDTM and cannot be incorporated in the general patient consent.



# COVID-19-Related Legislative Issues

Issue	Scope of Problem	Committee Actions
Part III licensing exam	Compounding exam was indefinitely postponed <b>Problem:</b> New grads and licensed pharmacists transferring from other states unable to get licensed	Letter to Governor's office with 3 recs: 1- Waiver of Part III for 2020 graduates 2- Provisional licensure subject to completion of Part III at a later date 3- Empowering COP to document competency in collaboration with NYSED <b>Outcome:</b> Exam eventually rescheduled and testing changed to computer-based home exam
Out of state pharmacists	Exec order allowed licensed pharmacists to practice in NYS despite registration not being active with BOP <b>Problem:</b> This was poorly defined/confusing	Communicated with BOP for clarification <b>Outcome:</b> Board clarified intention was for retired pharmacists (ie; licensed, but without active registration)
Pharmacist involvement in COVID-19 testing	Exec order allowed pharmacists to test for COVID-19 and antibodies if they were trained <b>Problem:</b> There was no training	Communicated with Governor's office, NYS DOH, NYSED, other ASHP affiliates <b>Outcome:</b> DOH eventually posted training which were referred to by NYSED– shared with members via NYSCHP
Student loan forgiveness	Pharmacists not included in pending federal legislation	ASHP shared concerns with sponsoring legislator; NYSCHP shared letter

COP = Colleges of Pharmacy; NYSED = NY state Education Department; BOP = Board of Pharmacy; DOH = Department of Health

# NYSCHP Advocacy Week 2021

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55 legislative visits → mostly virtual

>120 members participated in legislative visits

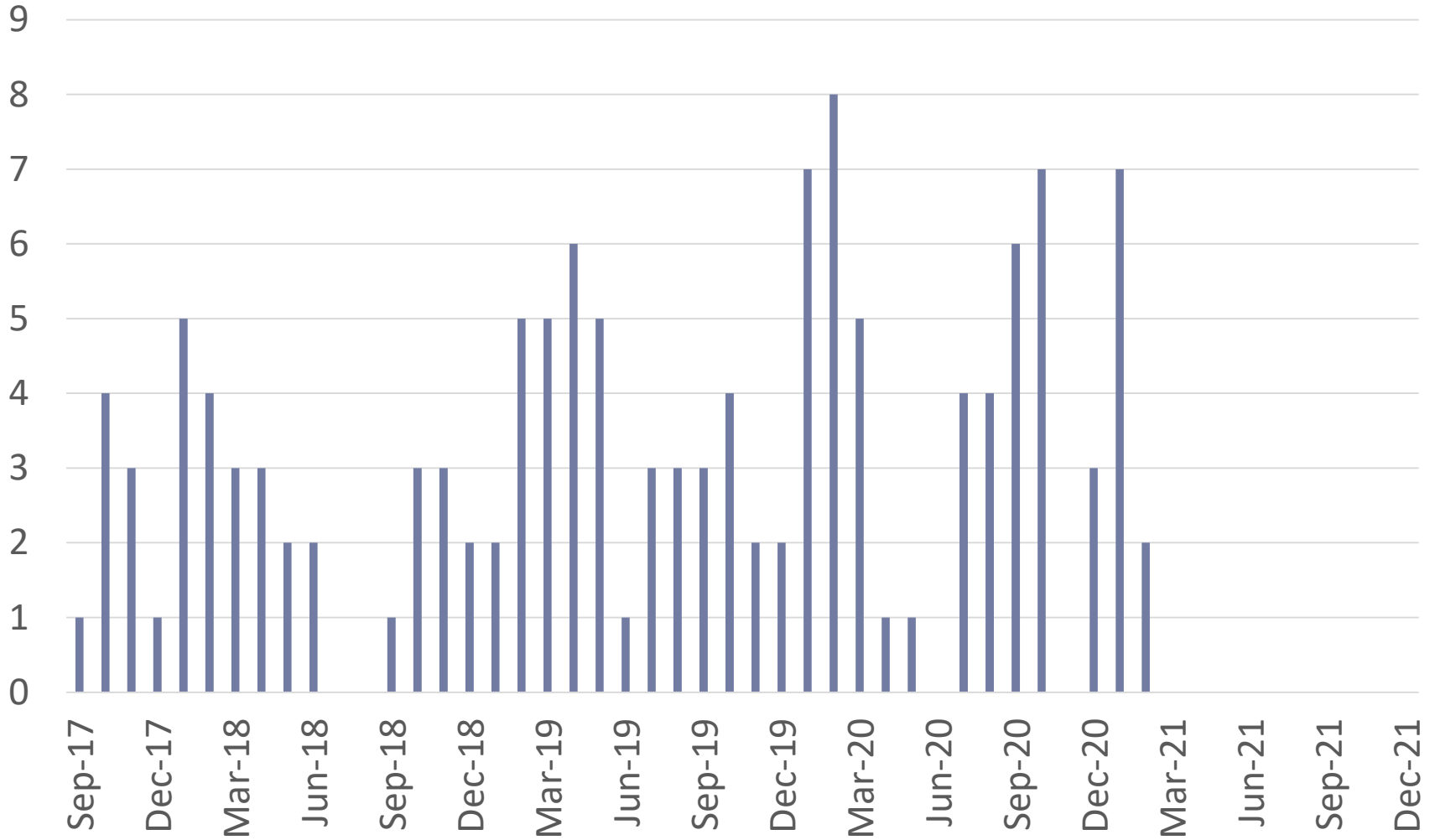
New Senate sponsor for CDTM

Additional cosponsorship for NYSCHP preferred legislation

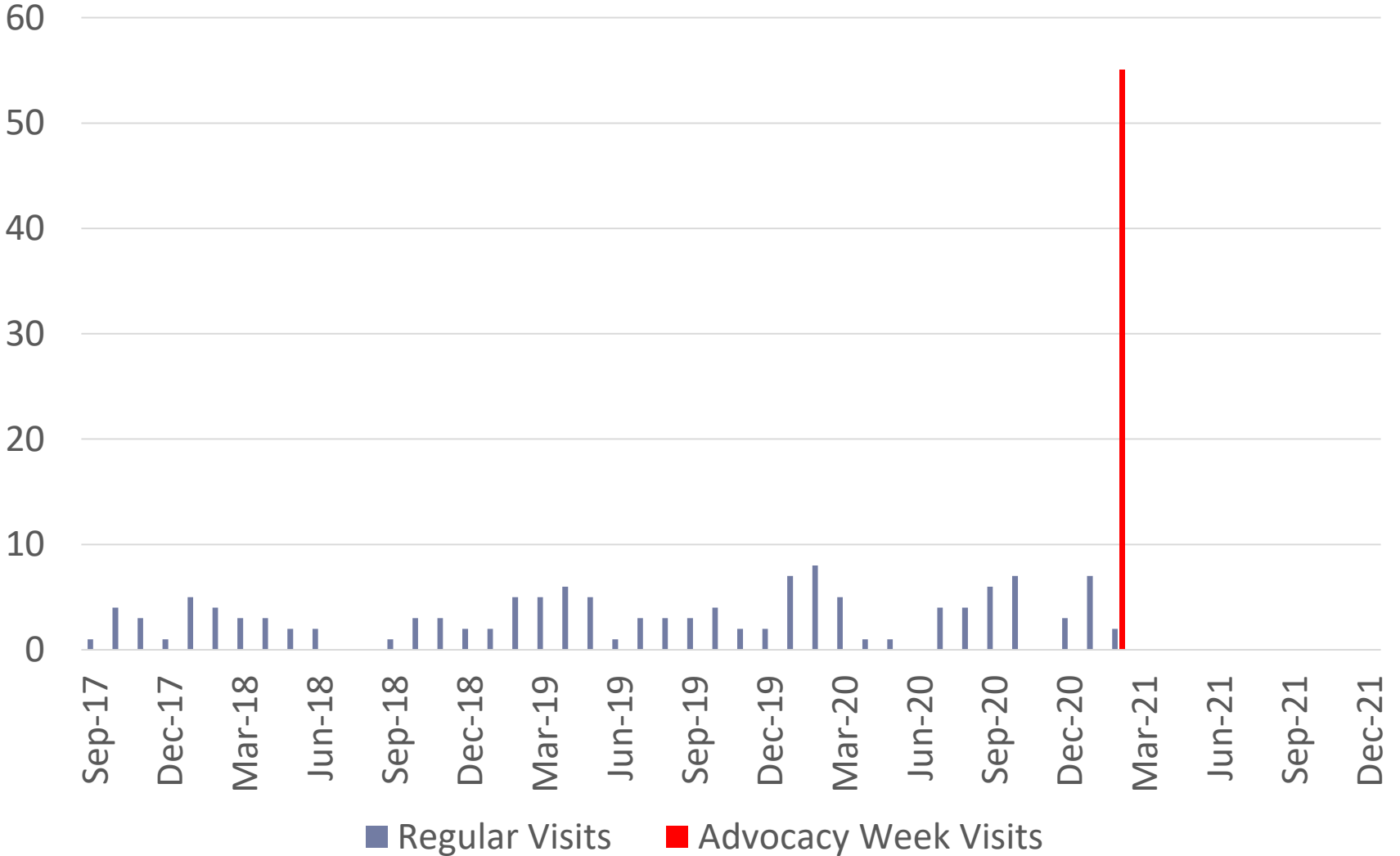
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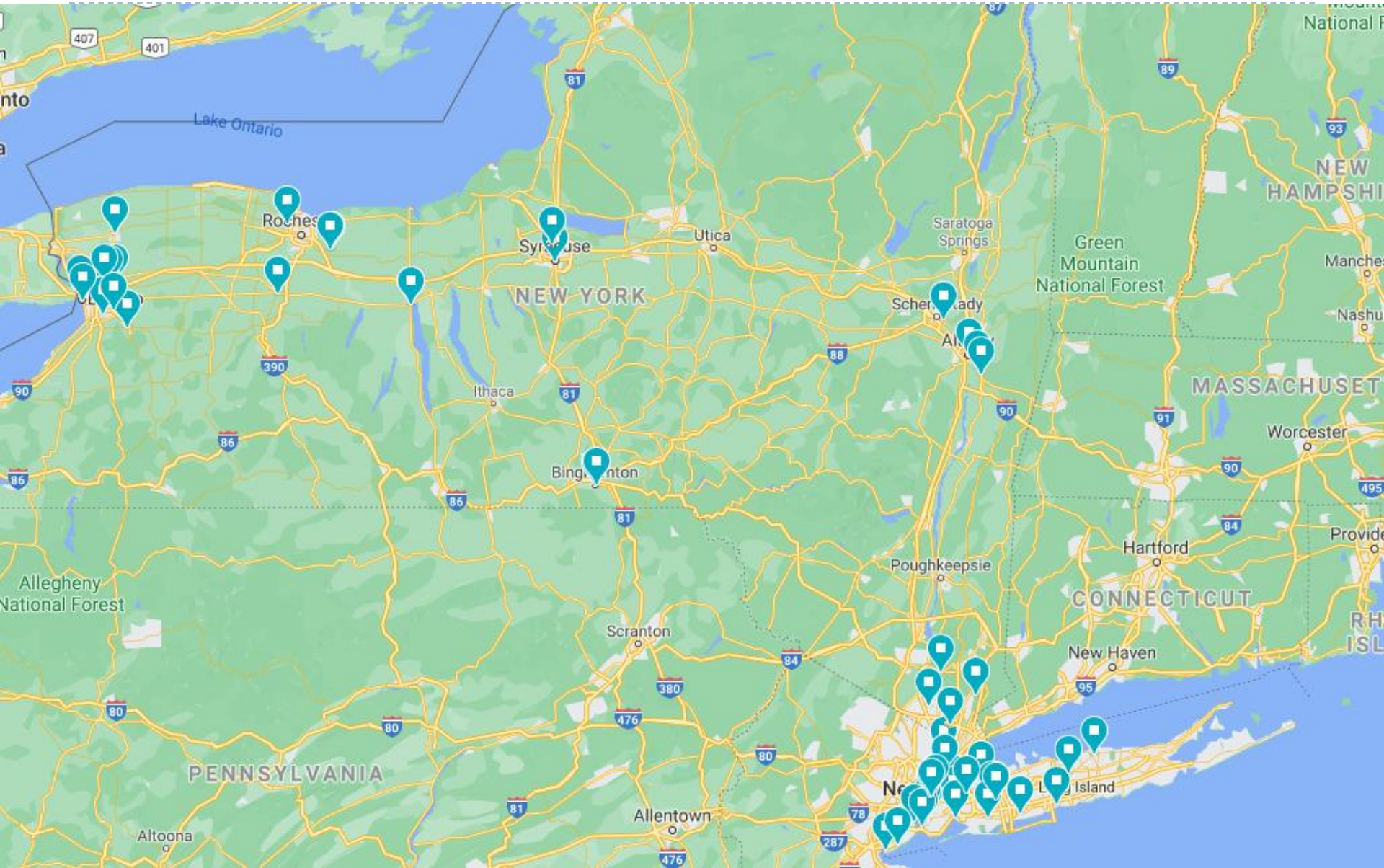
# NYSCHP Grassroots Visits per Month



# NYSCHP Grassroots Visits, including Advocacy Week

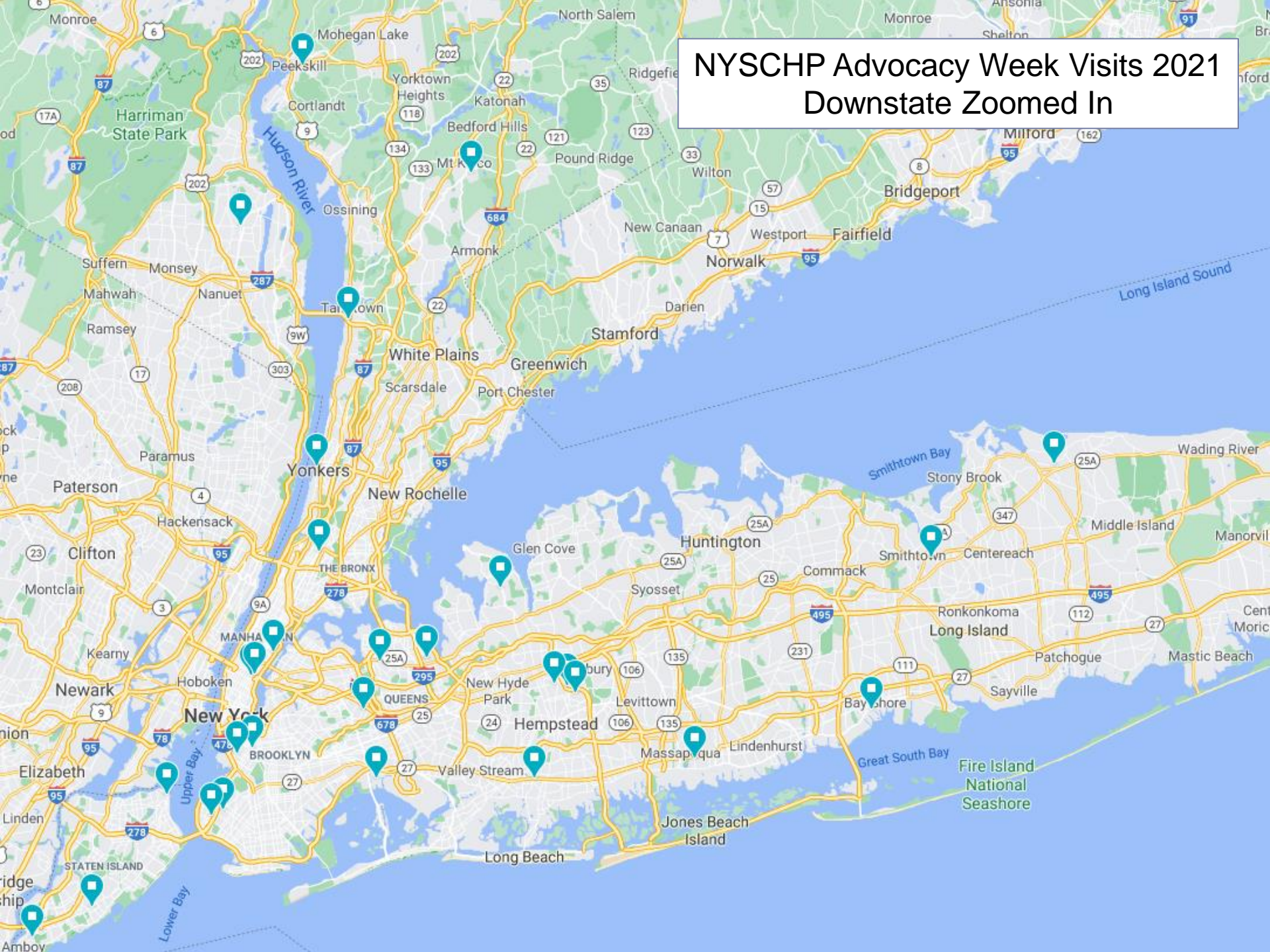


# NYSCHP Advocacy Week Visits 2021



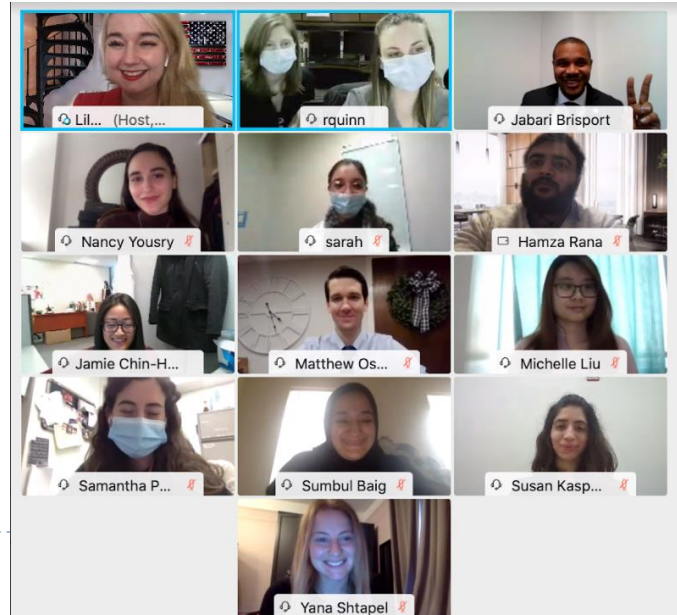
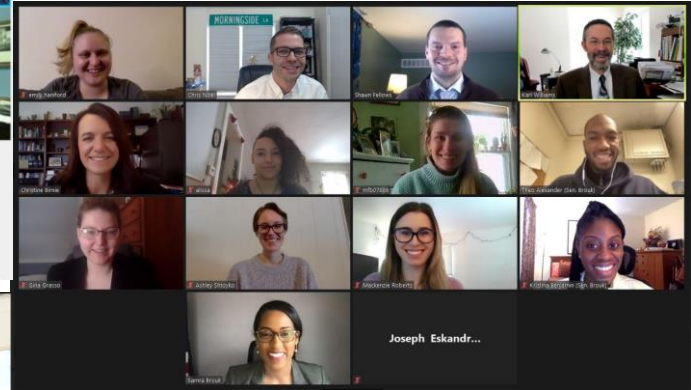


# NYSCHP Advocacy Week Visits 2021 Downstate Zoomed In





# NYSCHP Advocacy Week 2021





# NYSCHP Efforts Recognized by ASHP Advocacy and PAC Advisory Committee

“A recent American Journal of Health-System Pharmacy article by Berger and Kaplan described how the New York State Council of Health-System Pharmacists shifted the organization’s approach to advocacy by making changes to legislative visits and methods of communicating with members, coordinating with key stakeholders, and leveraging opportunities for optimizing pharmacists’ scope of practice. The authors emphasized that advocacy is critical to the growth of the pharmacy profession, and that although competing responsibilities will challenge advocacy efforts during a pandemic, advocacy remains essential. The authors concluded that shifts in the approach to advocacy can allow for innovative practice changes to improve pharmacists’ ability to manage patient care, both during and after the pandemic.”

Burnworth, et al. AJHP 2021 [Ahead of print].

# Getting Started

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**Review NYSCHP Resources**  
**[www.nyschp.org/advocacy](http://www.nyschp.org/advocacy)**



# NYSCHP Advocacy Resource Page

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## ▶ Resources/Templates

- ▶ How to find your legislator
- ▶ Email template for scheduling visit with your legislator
- ▶ Legislative script
- ▶ How to see if your legislator has cosponsored a bill
- ▶ CDTM and Immunization Fact Sheets
- ▶ FAQ document on CDTM and Immunization
- ▶ Legislative Toolkit

## ▶ COVID-19 resource page



**NYSCHP** | New York State Council of Health-system Pharmacists

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**Advocacy**

[Find Your Legislators](#) | [ASHP Federal Advocacy](#)

# Sample Email to Legislator

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Dear [office member]:

The New York State Council of Health-System Pharmacists (NYSCHP) represents pharmacists who serve as patient care providers in acute care and ambulatory settings. The organization's

There was a bill passed in the setting of the COVID-19 pandemic that allowed pharmacists to administer a COVID vaccine once one is approved. While this is a step forward for the pharmacy profession and improves the access of vaccines to patients, the immunization bill we support would allow pharmacists to administer **all** CDC-recommended vaccines. New York State is behind most other states which have authorized pharmacists to administer all CDC-recommended vaccines. For example, New York State is the only state in which pharmacists are unable to administer either the Hepatitis A or Hepatitis B vaccines. Authorization of pharmacists to administer vaccines has consistently improved vaccine access and vaccination rates throughout the country and many New Yorkers remain vulnerable to vaccine-preventable diseases. Pharmacists are well-suited to help provide access to these vaccinations and improve public health.

The passing of this COVID vaccine legislation underscores the importance of the scope of immunization in New York State, especially during a pandemic where the public is appropriately concerned about their access to vaccines. There is a bill pending in the legislature that would address vaccine access and we would be interested in having a (virtual) meeting concerning this bill.

[list at least 3 options for available dates/times during Feb 8-12, 2021]

Sincerely,

[your name]

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# Coronavirus NY: Gov. Cuomo announces memorial to New York essential workers

## Coronavirus Update for New York

- ▶ Nurses, doctors, **hospital staff**, teachers, transport workers, police, ambulance/EMT, firefighters, corrections, sanitation, National Guard, store employees, government employees, building service workers, utility workers, delivery drivers and construction/manufacturing
- ▶ Where's the pharmacists?
- ▶ Work remains! Need advocacy efforts





## MSSNY Radio Ad

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- ▶ *“Pharmacist and NP’s are valuable members of your coordinated medical team, but they lack the education and training to provide patient care without collaborating with a physician”*
- ▶ *“This month, there are state budget proposals that would let big box pharmacy chains divert care from your trusted doctor”*
- ▶ *“Concerned? Then tell the NYS Legislature you want the whole team working for you”*
- ▶ *“The best prescription for good health starts with your physician”*
- ▶ *“Paid for by MSSNY”*



# Join the NY State Grassroots Advocacy Movement

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- ▶ NY State Grassroots Advocacy Committee (Est: 8/2018)
  - ▶ Almost 200 visits since GAC creation
    - ▶ 55 visits during Advocacy Week 2021!!
  - ▶ All local chapters have formal GAC
  - ▶ Mentorship and resources available to attend/lead local/virtual legislative visits
- ▶ Reach out to Andrew Kaplan (NYSCHP Vice President of Public Policy) or Karen Berger (NYSCHP GAC Chair) to get involved!



**NYSCHP** | New York State  
Council of Health-system  
Pharmacists



# “Never Let a Good Crisis go to Waste”

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- ▶ The environment of a pandemic can be one of opportunity and growth
  - ▶ Crises in healthcare may require:
    - ▶ Rapid change
    - ▶ Increased resources
    - ▶ Heightened collaboration with key stakeholders
    - ▶ Enhanced leadership to ensure public safety
  - ▶ Public policy changes may require execution in weeks or even days
    - ▶ Rapid changes can occur when organizations navigate through disruption and effectively engage in advocacy
  - ▶ **The voice of pharmacists is needed**
-

# Post-Assessment Question 1

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- ▶ Which of the following legislative updates occurred during the COVID-19 pandemic?
  - A. Elimination of CDTM sunset in current law
  - B. COVID-19 vaccination authority by pharmacists
  - C. Immunization authority by pharmacists expanded to all CDC-recommended vaccines
  - D. All of the above



## Post-Assessment Question 2

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- ▶ Which is not a best practice for communication during a pandemic?
  - A. Identify a key individual/team to address response
  - B. Review social media feeds to ensure relevance
  - C. Create a resource page with a summary of updates
  - D. Minimize updates to avoid overwhelming members



# COVID-19 NY Strong



# Advocacy During a Pandemic: *Keeping our Voices Heard*

**Karen Berger, PharmD, FASHP, FCCM, BCPS, BCCCP**

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