



State of North Dakota
Doug Burgum, Governor

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House Bill No 1492 Permit Pharmacist Administer SARS-CoV-2 Testing

House Human Services Committee – Pioneer Room
2:30 PM - Tuesday – January 26, 2021

Chairman Weisz, members of the House Human Services Committee, for the record I am Mark J. Hardy, PharmD, Executive Director of the North Dakota State Board of Pharmacy.

I appreciate the opportunity to provide the Board of Pharmacy's support for House Bill 1492. This legislation would codify in State Law a Pharmacist's ability to provide CLIA waived COVID testing for patients. The reason for this change is that the list of CLIA waived tests which a pharmacist may perform are specified under NDCC 43-15-25.3 as well as our administrative rule. This adds the SARS-CoV-2 to that list. Currently, the Federal HHS PREP Act declaration, along with the Executive Order 2020-09 from Governor Burgum, has given Pharmacists the authority to conduct CLIA waived COVID tests. This legislation simply cements that ability moving forward, including if the Executive Order is lifted or the PREP Act authorization are no longer valid.

Many of our Pharmacies have implemented multiple forms of testing, including early on sample collection for the PCR test and, more recently, with the expansion in approved antigen and antibody tests. Pharmacists are uniquely situated to offer these services to the public and provide a readily accessible option for patients in need of these services when testing would not be accessible during State sponsored events. Our reporting to the State is consistent with all other health care facilities and the State's efforts to ensure everyone has a consistent strategy.

The Board of Pharmacy supports this simple but important piece of legislation and respectfully asks for Do Pass vote on HB 1492.

Thank you for listening to my testimony and I will be happy to answer any questions.