

Revised notice dated June 15, 2021, to replace the notifications issued on December 14, 2020, March 20, 2020 and March 25, 2020:

With the Governor's authorization in accordance with the Proclamation of Disaster Emergency (Proclamation) initially issued on March 6, 2020, the following statutory and regulatory provisions were temporarily suspended in order to respond to the COVID-19 emergency:

- The requirement in 35 P.S. § 10231.802(a)(1) that dispensing must occur in an indoor enclosed facility and in 28 Pa Code § 1161.23 (a), which requires dispensing to occur at the facility (which is defined as the secure building itself). The Department of Health (DOH) will allow dispensary employees to go out to the vehicle, retrieve identification cards, go back inside and dispense product in accordance with regulatory dispensing requirements and then deliver to the vehicle. In all cases, the vehicle must be located on "site" (which is defined in 28 Pa. Code § 1161.23(a) as the total area contained within the facility's property line boundaries).
- The limitation that only five patients may be assigned to one caregiver, which will provide more caregivers to patients in need. 35 P.S. § 10231.303(b)(4)
- Background checks for caregiver applications, limited to *renewal* applications only, in order to expedite the caregiver renewal process. 35 P.S. § 10231.502 and 28 Pa. Code § 1191.27
- The phrase "in-person" from the definitions of "continuing care" and "patient consultation" in 35 P.S. §10231.103 and 28 Pa. Code § 1181.21 to allow for remote consultations. **In all cases, patient records must be reviewed and evaluated.**
- The 30-day supply limit found in 35 P.S. § 10231.405 and in 28 Pa. Code § 1161.24(b). DOH will require approved practitioners to notate on the patient's certification authorization to dispense a 90-day supply.
- The requirement in 35 P.S. § 10321.801(b) and 28 Pa. Code §§ 1161.25(a) and (b) that a medical professional (physician, pharmacist, physician assistant or nurse practitioner) be onsite at the facility at all times during dispensing hours. **The medical professional must remain available for remote patient consultations and must continue to verify each patient certification prior to the patient being dispensed medication at the facility.**

Pursuant to Act 21 of 2021, these suspensions shall remain in place until September 30, 2021, unless sooner terminated.