DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop AR-21-55
Baltimore, Maryland 21244-1850

CMS
CENTERS FOR MEDICARE & MEDICAID SERVICES
CENTER FOR PROGRAM INTEGRITY

Date: March 20, 2020

To: All Part D Plan Sponsors

From: Alec Alexander, Deputy Administrator and Director, Center for Program Integrity

Subject: Minimizing Face-to-Face Contact for Medication Delivery or Dispensing

On January 31, 2020, the Secretary of Health and Human Services ("HHS") declared a public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d) in response to a novel coronavirus known as SARS-CoV-2 ("coronavirus"). On March 13, 2020, the President of the United States declared a national emergency based on the spread of this coronavirus.

CMS encourages Part D sponsors to work with their first tier, downstream, and related entities to identify means of ensuring that medication is delivered to patients without requiring face-to-face contact, which could result in transmission of the coronavirus. Medicare Part D regulations require Part D sponsors and their first tier, downstream, and related entities to make their books and records available to HHS to permit audits, including the review of any information needed to determine compliance with Part D requirements. These audits can include a review of documentation of medication delivery or dispensing, including evidence of the patient's signature. However, requiring a patient signature for receipt of medication could undermine current public health efforts to combat the spread of the coronavirus. We are making clear that HHS does not require and will not audit for patient signatures as proof of delivery for any medications, including for controlled substances. Part D sponsors should work with pharmacy benefit managers and other entities to continue to utilize tools at their disposal to make sure beneficiaries are receiving controlled substances appropriately.

If you have any questions or need additional information, please contact us via email at CPIMedicarePartD_data@cms.hhs.gov.