

## **New Mexico Statewide Standing Order for Registered Pharmacist to Dispense Over the Counter (OTC) COVID-19 At-Home Antigen Test Kits**

### **Section A: Authority**

This standing order authorizes any New Mexico registered pharmacist, in accordance with the conditions of their licensure, to dispense any over the counter (OTC) COVID-19 at home antigen test kits made available under an FDA emergency use authorization (FDA authorized) or FDA approval (FDA approved) to individuals in New Mexico. **This standing order may be used when an individual's insurance would not otherwise cover such claim submitted under the pharmacist's NPI number.**

The purpose of this standing order is to ensure that those individuals can obtain OTC COVID-19 at-home antigen test kits, and to obtain the tests without any upfront out-of-pocket expenditure by the beneficiary, participant, or the enrollee if the individual has insurance.

This standing order may be used as a valid prescription for individuals physically present in New Mexico, to serve as a prescription for third-party payers, and to ensure increased access to OTC COVID-19 at-home antigen test kits.

### **Section B: Purpose**

This standing order is intended to ensure that individuals in New Mexico can obtain OTC COVID-19 at-home antigen test kits. Testing for COVID-19 is an important public health intervention that allows for timely disease treatment and implementation of public health mitigation measures to prevent the spread of SARS-CoV-2.

### **Section C: Order and Dispensing Procedures**

1. For billing purposes, pharmacist will collect patient's insurance information necessary to bill insurance for the selected FDA-authorized or FDA-approved OTC COVID-19 at-home antigen test kits.
2. Pharmacy staff should fill out the attached prescription template and utilize it for claims processing.
  - a. Note insurance coverage and dispensing limits of OTC COVID-19 at-home antigen test kits may vary based on policies of individual insurance plans.

### **Section C: Prevention of Fraud, Waste and Abuse**

This standing order for an OTC COVID-19 at-home antigen test kit is to be used solely for the individual for whom it is being prescribed. Billing to a health plan for anyone's use other than whose name is on the prescription is not allowed.

In accordance with the Families First Coronavirus Response Act (FFCRA), plans and issuers may act to prevent, detect, and address fraud and abuse. Examples of permissible activities may include the following: a plan or issuer may take reasonable steps to ensure that an OTC COVID-19 test for which a covered individual seeks coverage under the plan was purchased for the individual's own personal use (or for use by another participant, beneficiary, or enrollee who is covered under the plan or coverage as

a member of the individual's family), provided that such steps do not create significant barriers for participants, beneficiaries, and enrollees to obtain these tests. For additional information, please visit: <https://www.dol.gov/sites/dolgov/files/EBSA/about-ebsa/our-activities/resource-center/faqs/aca-part-51.pdf>

#### **Section D: Patient Education**

Prior to dispensing COVID-19 at-home antigen test kits, the pharmacist shall provide the attached "COVID At-Home Antigen Test: Patient Education" document to the patient.

The pharmacist shall direct the patient to review the manufacturer's instructions for use found in the box or on the following web sites:

Fact Sheets and Instructions for Use for Individuals for antigen COVID-19 tests.  
(Located in the Authorization Documents section of the table)

<https://www.fda.gov/medical-devices/coronavirus-disease-2019-covid-19-emergency-use-authorizations-medical-devices/in-vitro-diagnostics-euas-antigen-diagnostic-tests-sars-cov-2>

The pharmacist may provide anticipatory guidance depending on the need of the patient, guardian/parent, or patient's designated representative. Resources include:

- a. [Self-Testing | CDC](#)
- b. Information on control measures to follow if the test result is positive, based on Centers for Disease Control and Prevention (CDC) guidance: [COVID-19 Quarantine and Isolation | CDC](#)
- c. NM COVID-19 Call Center: 1-855-600-3453. <https://www.newmexico.gov/hotlines/>
- d. NMDOH self-test website: [Self Test Overview | NMDOH - Coronavirus Updates \(nmhealth.org\)](#)

For more recommendations on self-testing please visit: <https://www.cdc.gov/coronavirus/2019-ncov/testing/self-testing.html>.

#### **Section E: Results Reporting**

Reporting the results of COVID-19 at-home antigen tests is not required, but the option to report positive results in New Mexico exists here: <https://covid-positive-home-test.doh.nm.gov/>. Patients can also report a positive test through NM Notify (anonymous contact tracing app): <https://www.nmnotify.com/>

This standing order shall remain in effect until the end of the New Mexico Public Health Emergency unless earlier revoked. This standing order will be reviewed and updated as needed.



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**Hard Copy Prescription/Standing Order for COVID-19 At-Home Antigen Test Kit**

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**DATE:** \_\_\_\_\_

**Patient Name:** \_\_\_\_\_

**DOB:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**COVID-19 AG Home Test Kit**

\_\_\_\_\_  
*Manufacturer*

**Directions:** Use as directed.

**Quantity:** # 2 tests (1 box)

**REFILLS:** PRN



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