



## STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

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### **For Immediate Release**

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### **Governor's Office Statement on Internal Review of Compounded Chloroquine and Hydroxychloroquine Purchase** *\$800,000 Purchase Has Been Refunded in Full*

SALT LAKE CITY (April 1, 2020) - The governor's office has completed a thorough internal review of a March 31, 2020 purchase of compounded chloroquine and hydroxychloroquine from the Utah compounding pharmacy Meds in Motion.

The office has issued the following statement:

"We have determined that all involved acted proactively, preemptively and prudently during an emergency in an effort to save lives. Although there were breakdowns in communication between state agencies, all involved acted in good faith.

In the weeks since the purchase, and prior to taking possession of the medication, the State of Utah has determined that a state supply of chloroquine/hydroxychloroquine is no longer prudent.

In light of these circumstances, we are grateful that the vendor, Meds in Motion, accepted our request to refund the \$800,000 expended by the state. These funds were received by the state earlier this afternoon. We understand that Meds in Motion now intends to donate this medication to charities that can use it immediately to address a worldwide shortage of anti-malarial medications in developing countries.

Our review underscores the challenging decisions made by Utah officials in the early days of the COVID-19 crisis.

In the absence of a vaccine, Utah leaders were actively seeking out effective treatments that could reduce the duration and severity of the virus and thereby protect precious hospital resources from being overwhelmed.

In this fast-changing environment, there were promising reports about the role of antiviral medications in treating COVID-19 symptoms. Although reports of efficacy were mixed, top medical specialists in the state — before this issue became politicized — urged state officials to look seriously at chloroquine and hydroxychloroquine as effective treatment options.

State officials, including the Utah Department of Health, began working with a local Utah pharmacy, Meds in Motion, that could custom compound chloroquine/hydroxychloroquine treatments in quantities sufficient to meet anticipated need. As global interest in chloroquine and hydroxychloroquine subsequently spiked and supply chains frayed because of speculation, state officials authorized the purchase in question which was executed by our Division of State Purchasing and General Services at a fair price.

Through our review, we also have a clearer sense of the unprecedented challenges facing our Division of State Purchasing and General Services (State Purchasing). As global supply chains have fractured, State Purchasing implemented emergency procurement protocols to procure personal protective equipment (PPE), testing supplies and other needed items to address the COVID-19 pandemic.

Under both the governor's and the president's emergency declarations, the normal bid process is not required for purchases needed to address the pandemic. Nonetheless, State Purchasing is required to exercise caution and afterwards justify their actions.

Since March 24, 2020, State Purchasing has issued over 300 Purchase Orders under this protocol for about \$70,000,000 in supplies. Some of those orders have been subsequently canceled as a result of product failure, failure to deliver, or the State determining products were no longer needed. Our review shows a State Purchasing system that is to be commended for adapting rapidly to crisis conditions and exercising judgment in balancing expediency, cost and quality.

It is easy to sensationalize and second guess decisions made on the field of battle. There is little here to second guess, and the governor is grateful to public and private sector partners, including Meds in Motion, who have acted with dispatch in a good faith effort to save lives.”

The Governor has asked that requests made under the Utah's Government Records Access and Management Act (GRAMA) pertaining to this matter should be expedited.

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