

Testimony of the
CONSUMER HEALTHCARE PRODUCTS ASSOCIATION
in SUPPORT of
HOUSE BILL 29

PROHIBIT SALES OF DEXTROMETHORPHAN WITHOUT A PRESCRIPTION TO PERSONS UNDER AGE 18
presented to the
HOUSE HEALTH COMMITTEE
STATE OF OHIO
JUNE 25, 2019

Presented by: Robbie McLuckie – Senior Manager, State and Local Government Affairs

Good morning Chairman Merrin and distinguished members of the House Health Committee, my name is Robbie McLuckie and I am Senior Manager of State and Local Government Affairs for the Consumer Healthcare Products Association (CHPA). CHPA appreciates this opportunity to communicate its support for House Bill 29 – a bill that would prohibit the sale of products containing dextromethorphan (DXM) to those under the age of 18 unless they hold a valid prescription.

CHPA is the 138-year-old trade association representing the leading manufacturers and marketers of over-the-counter (OTC) medicines and dietary supplements. Every dollar spent by consumers on OTC medicines saves the U.S. healthcare system over \$7, contributing a total of \$146 billion in savings each year. CHPA is committed to empowering consumer self-care by preserving and expanding choice and availability of consumer healthcare products.

Dextromethorphan is a safe and effective ingredient found in more than 100 over-the-counter cough and cold products. First approved by the U.S. Food and Drug Administration (FDA) in 1954, it is a non-narcotic cough suppressant that works by raising the coughing threshold in the brain; it has no pain relieving properties and is not addictive. While dextromethorphan is used safely by millions of Americans each year to relieve coughs due to the common cold or flu, a small but significant number of teens are intentionally abusing medicines containing DXM.

At CHPA, we take seriously our obligation to educate parents, community leaders and those who shape public policy about what can be done to prevent the unnecessary – and often unanticipated – harm caused by the abuse of medicine. For too many parents, knowing that their children are not involved with illicit street drugs provides a sense of security that allows them to miss the potential for abuse in their own medicine cabinet.

According to the 2018 Monitoring the Future Study¹, approximately three percent of teens abuse cough medicines containing DXM to get high. When ingested in high doses – as much as 25 times the recommended amount – side effects can include confusion, dizziness, double or blurred vision, slurred speech, loss of physical coordination vomiting and rapid heartbeat.

¹ National Institute on Drug Abuse; <http://www.monitoringthefuture.org/data/18data.html>

Our industry supports the efforts of both state and federal lawmakers as well as the efforts of the retail community to implement sales restrictions prohibiting the purchase of products containing dextromethorphan by those under the age of 18. To date, nineteen states – including Alaska, Arizona, California, Colorado, Delaware, Florida, Kentucky, Louisiana, Nevada, New Jersey, New York, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin – have passed similar legislation, giving parents greater control over their children’s access to medicines. Similar measures are currently under consideration in Massachusetts and Michigan. Additionally, while many national retailers including CVS, Target, Walgreens and Wal-Mart already voluntarily restrict underage sales, this bill is necessary to close this loophole enabling teens unfettered access.

While age restrictions serve as a major step forward in reducing teen medicine abuse, education is still paramount to preventing its abuse. We are spearheading several major campaigns to raise awareness of dextromethorphan abuse, including the comprehensive web site www.StopMedicineAbuse.org.

The Stop Medicine Abuse campaign is one tool for educating and engaging parents to combat the issue of medicine abuse. In 2009, CHPA launched StopMedicineAbuse.org while manufacturers voluntarily placed the below icon on the packaging of cough medicines containing DXM, pointing parents to the website. This site provides parents with tips for speaking with their teens and safeguarding their medicine cabinets, both of which are proven methods to curb teen medicine abuse. The Stop Medicine Abuse campaign is also active on Facebook, Twitter, and YouTube.



We commend Representative Koehler, for introducing H.B. 29. The leading makers of OTC cough medicines have been working to raise awareness about this problem and are pleased to see such strong leadership from the Ohio House of Representatives on this issue.

CHPA and our members remain committed to effectively addressing the issue of medicine abuse. By prohibiting the sale of products containing DXM to those under the age of 18, H.B. 29 is an effective tool in helping prevent medicine abuse among teens. We respectfully urge the committee to **support H.B. 29**. If you have any questions following the hearing, please contact CHPA’s in-state counsel, Kristen Brinkman at 614-271-3873 or kbrinkman@kbrinkmanassociates.com.