

THE OHIO COUNCIL OF

Retail Merchants
The voice of retail since 1922

**Proponent Testimony on House Bill 673
House State & Local Government Committee**

**Lora Miller
Director of Governmental Affairs & Public Relations
Ohio Council of Retail Merchants**

June 2, 2020

Good afternoon Chairman Wiggam, Vice Chairman Stephens, Ranking Member Kelly and members of the House State & Local Government Committee. I am Lora Miller, Director of Governmental Affairs & Public Relations for the Ohio Council of Retail Merchants. I am here today on behalf of our member companies that provide pharmacy services to offer support for House Bill 673. Our sincere thanks go to Representative Roemer for sponsoring such an important piece of legislation.

Public health experts have estimated that before we can return to a pre-COVID-19 economy and keep our communities safe, three times as many tests per month will be required than are currently being performed. In order to accomplish this, we will need to leverage all the assets available to us. Pharmacists and their teams are well-trained in diagnostic testing and vaccine administration and are uniquely prepared to assist during this crisis, which means that it is imperative that the legislature enact House Bill 673 for the health and well-being of Ohioans.

As you know, the bill will authorize pharmacists to order and administer COVID-19 testing as well as testing for COVID-19 antibodies. Another critical aspect of the bill is the authority for pharmacists and pharmacy interns to administer any future COVID-19 vaccinations to individuals ages seven and older. Ohio law already permits these health professional to administer the flu vaccine to individuals ages seven and older and all other CDC-recommended vaccinations to individuals ages 13 and older, without a prescription. These licensed health care providers are required by law to be trained in the appropriate administration of any vaccine before doing so.

Federal guidance issued on April 8, 2020 by the US Office of the Assistant Secretary for Health stated that the PREP Act authorized pharmacists to administer FDA-approved COVID-19 testing. On May 19, 2020, the US Department of Health and Human Services issued an Advisory Opinion declaring that the PREP Act preempts states from prohibiting pharmacists from ordering and administering these tests. Subsequently, on May 27, 2020, the Ohio Board of Pharmacy issued updated guidance that Ohio pharmacists may order and conduct FDA-approved

COVID-19 testing and that licensed pharmacy interns and certified pharmacy technicians may also conduct these tests under the direct supervision of a pharmacist. As a result of the Ohio BOP guidance from last week, we would like to request that House Bill 673 be amended to permit licensed pharmacy interns and certified pharmacy technicians to conduct FDA-approved COVID-19 testing under the direct supervision of a pharmacist.

Chairman Wiggam, Vice Chairman Stephens, Ranking Member Kelly and members of the Committee, I appreciate the opportunity to appear before you today in support of House Bill 673 on behalf of Ohio's pharmacies and their health provider teams. Our thanks to the committee and our special thanks to Representative Roemer for his leadership on this issue. I am available to answer any questions you may have.