



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

September 12, 2017

The Honorable Stephen Huffman, Chairman
Ohio House Health Committee
Statehouse
Columbus, OH 43215

RE: NACDS Opposition to H.B. 231, Lockable or Tamper-Evident Containers

Dear Chairman Huffman and members of the Committee:

On behalf of the 1,883 chain pharmacies operating in the state of Ohio, the National Association of Chain Drug Stores (NACDS) is writing to ask you to oppose HB 231, which would require pharmacists to offer to dispense all controlled substances in lockable or tamper-evident containers. This bill is overly broad in the drugs targeted for lockable containers, will prove costly for pharmacies and patients, and will be inconvenient for many patients.

First, as to the breadth of this bill, the intent of the bill is to encourage patients to use lockable containers for addictive drugs, such as narcotics or opioids. However, this bill includes all controlled substances within its purview. In other words, pharmacists would be required to offer lockable containers for patients receiving prescriptions for everything from testosterone to treat erectile dysfunction to Lotomil for diarrhea. Many drugs subject to this bill are not addictive and should not be included in the bill.

This bill also represents an unfunded mandate on pharmacies. Under the bill, pharmacies are required to purchase these special vials. Estimated costs for these vials range from \$3.00 to \$18.00. Including within this bill's scope the overly broad category of all controlled substances dispensed, a pharmacy will need to spend significant money on a large volume of these vials. In many instances, pharmacies may be forced to pass along these costs to patients to afford to continue dispensing controlled substances. After all, there is no mechanism in place to ensure that insurers will cover this added out-of-pocket expense imposed on pharmacies.

There are less costly alternatives to lockable containers, including pill adherence containers and lockable containers from hardware stores. Some pharmacies already sell these lockable containers over-the-counter, but very few patients buy them. There is a lack of patient interest in these products, especially given the lower priced alternatives. There is no reason to believe patients will be more interested in these lockable containers when pharmacists are required to offer them, particularly if patients realize that they are absorbing the cost of these high-priced products.

NACDS Regional Office

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Finally, requiring pharmacies to offer these lockable containers slows down the filling and dispensing process. Many patients do not have time to wait for their prescriptions. They welcome electronic prescriptions, which are sent directly to the pharmacy before the patient arrives. The patient walks into the pharmacy and picks up the prescription, which has already been filled. Requiring pharmacists to offer patients the option of dispensing with lockable containers eliminates the efficiency of electronic prescribing. Every pharmacist will have to wait to fill a prescription until the patient comes to the store because the pharmacist must offer the patient a lockable container instead of a regular pill bottle. Alternatively, the pharmacy could fill the prescription in a standard bottle type, risking that the patient may want the alternative bottle type, forcing the pharmacist to repeat the dispensing process a second time. Either way, the patient will waste time waiting for their prescription to be filled while pharmacists will be losing time that could be spent filling other prescriptions or providing other critical health care services.

While we appreciate the intent and effort to curb the abuse of addictive medications, HB 231 contemplates an ineffective and inefficient program. If patients feel that they need to lock up their medications, they can purchase several different types of products to do so at their own convenience in many venues. The result of passing this overly broad bill will likely be additional costs to patients and/or pharmacies and decreased dispensing efficiency. For these reasons, we ask you to oppose this bill.

Sincerely,

A handwritten signature in black ink that reads "Jill K. McCormack". The signature is written in a cursive style and is positioned above a light blue rectangular background.

Jill McCormack, Director
State Government Affairs
jmccormack@nacds.org