

PROPONENT TESTIMONY

for

Ohio HB 37

134th General Assembly

Dear Chairman Lipps, Vice Chair Holmes, Ranking Member Russo, and members of the House Health Committee.

My name is Danny Houdeshell from Avon Lake, Ohio and I represent the Houdeshell family from Avon Lake, Ohio. I am submitting a strong proponent testimony for Ohio HB 37 as submitted by House Representative Gayle Manning.

In 2015 the House passed HB188 which was updated with the Emergency Prescription Refill Law as a result of our son Kevin passing away at the age of 36. He died as a result of not being able to get a refill of his life sustaining insulin . The prescription had expired and it was a long holiday weekend when his doctor could not be reached. Kevin's story is well documented over the past 6 years in many articles and podcasts.

When HB188 was drafted and passed, we wanted it to be more encompassing and stronger to help people in need of all life sustaining medications. However, the political climate only allowed for what was passed. HB 37 adds those issues back into the emergency prescription refill requirements and strengthens the bill/law to where it should be.

Allow me to address the two major components of HB 37.

1. Insurance coverage – The emergency prescription refill law is only effective IF people can afford their prescriptions through insurance or out of pocket. The outrageous pricing of medications such as insulin has been in the news much of 2019 and 2020 and now 2021. I will speak mostly of T1 diabetics and insulin for now but other diseases are as critical. Insurance coverage is

expensive and still T1 diabetic families have co-pays that hurt their budgets not just a little bit, but destroys them. They make sacrifices in other areas to keep themselves and/or their children alive. The IMMEDIATE results of not having their insulin is ketoacidosis where body organs begin to shut down requiring an ambulance trip to ER/ICU/or morgue within 48-72 hours. **My point is that for insurance companies to pay for this emergency situation is far cheaper than the alternatives! It is the humane and right thing to do. It is the job of our legislators to help and protect us, the constituents.** This insurance requirement is fair and should not overburden the insurance companies. Without it however, the family can and often is devastated. The emergency refills are not used on a regular basis, BUT when needed can be and in the life of a diabetic, life saving!

2. Increasing the number of times a pharmacist can provide refills under this law from 1 time to 3 times per 12 months is also reasonable. Here is a list of a few reasons diabetics can get into medical trouble and lose their insulin. These issues can and do happen more often than anyone realizes no matter how careful and focused you are.

- A broken vial of insulin
- Mechanical failure with pumps and sensors (it can take 24 hours or longer to get a replacement IF you have an up-to-date prescription)
- Traveling in an area that does not have your specific pharmacy with your prescriptions on file
- Syringe malfunctions such as a needle that comes off with the lid
- Insulin that was not properly transported
- Insulin that was frozen (even if it was subsequently thawed)
- Insulin that was exposed to heat, light or if unused bottles/pens/cartridges were not stored in the refrigerator
 - Refill amount on the prescription is not appropriate
 - Being forced to change insulin because of an insurance formulary
 - Expired glucagon kits
 - Prescriptions expiring over a holiday weekend
 - Plus many, many more situations.

SUMMARY:

Ohio was the first state to pass Kevin's Law in December of 2015. Since then 20 states have followed our example in upgrading this important law. This year's legislative session now has 4 more states in the process of following suit. Several states have taken the Ohio law to a new level.

With the new COVID virus and healthcare in general, NOW is the time for Ohio to enhance this law. Ohio and several other states used their version of Kevin's Law to help pharmacists and their patients through this pandemic. This is not a small issue and deserves all the power and tools the state can supply. It has already proven to be effective by the number of people who have used it and whose lives have been saved by it.



Respectfully Dan Houdeshell and the Houdeshell family in Kevin's memory