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Senate Health Committee
House Bill 558 Sponsor Testimony
November 14th, 2022

Chairman Huffman, Vice Chairman Antani, Ranking Member Antonio, and members of the Senate Health Committee, thank you for the opportunity to testify on House Bill 558. This bill, in short, is designed to allow Ohioans to better utilize charitable pharmacies in Ohio, both cutting down on drug waste and improving access to life-saving medications. The best part: it doesn't cost the State of Ohio any additional funds. Before addressing the provisions of the bill, we would like to provide some background on a few critical issues facing Ohio patients: drug prices, drug disposal, and the scope of Ohio's drug repository program.

It is no secret that prescription drugs have become immensely expensive in the United States. In 2020, a study was published in the *Journal of the American Medical Association* detailing the rapid rise in pharmaceutical costs from 2007 to 2018.¹ According to the study, list prices of drugs grew by 159 percent, and net prices by 60 percent during this period. Some of the most striking increases occurred on such vital medications as lipid lowering agents and treatments for cancer and diabetes.

¹ Hernandez I, San-Juan-Rodriguez A, Good CB, Gellad WF. Changes in List Prices, Net Prices, and Discounts for Branded Drugs in the US, 2007-2018. *JAMA*. 2020;323(9):854–862. doi:10.1001/jama.2020.1012

Ironically, as many patients struggle to afford their medications, many prescriptions are simultaneously going to waste. A 2015 study published in *Research in Social and Administrative Pharmacy* estimated that nearly two thirds of prescription medications in the U.S. were going unused, 63 percent of which were being thrown in the trash (additionally raising environmental impact concerns).² Some common reasons for disposal include an improvement of symptoms, the death of the patient, non-adherence, or prescription change.

The facts of this issue defy common sense. Why, when prices are so high and medications are so inaccessible for low-income Ohioans, are we allowing these life-changing treatments to go to waste? The State has attempted to answer that question, which is why the Ohio Drug Donation Repository was created. This program was launched in 2003 to allow long-term care facilities, drug wholesalers, and certain pharmacies to donate unused medications to charitable pharmacies, who then dispense those medications to Ohioans in need. However, this program still only addresses part of the drug waste problem; it does not allow individual patients to donate unused medications – only those select few entities. This is because current law requires that all drugs donated to the program be in unopened, sealed, tamper-evident packaging.

This shortcoming is precisely what House Bill 558 seeks to address. Under the bill, drugs that are not in their original sealed and tamper-evident packaging (and are not controlled substances) may be accepted and distributed by charitable pharmacies and non-profit clinics in accordance with new rules from the Board of Pharmacy. The bill gives the Board of Pharmacy the authority to promulgate these

² Anandi V. Law, Prashant Sakharkar, Amir Zargarzadeh, Bik Wai Bilvick Tai, Karl Hess, Micah Hata, Rudolph Mireles, Carolyn Ha, Tony J. Park, Taking stock of medication wastage: Unused medications in US households, *Research in Social and Administrative Pharmacy*, Volume 11, Issue 4, 2015, Pages 571-578, ISSN 1551-7411, <https://doi.org/10.1016/j.sapharm.2014.10.003>.
(<https://www.sciencedirect.com/science/article/pii/S1551741114003337>)

new rules. Assuredly, all measure of safety and precaution will be taken to ensure that these drugs are dispensed safely. Just like any other pharmacy transaction, a prescription is required to obtain medications from charitable pharmacies, and those pharmacies are subject to regulation from state and federal authorities. Individual donors are also required under the bill to sign a form identifying themselves as the donor and authorizing the donation.

The Board of Pharmacy and Ohio's charitable pharmacies have worked closely with us to bring this bill before you. We are fully confident that they will administer this expansion effectively and provide essential medication access to many more uninsured and underinsured patients – all while reducing unnecessary waste. We urge the members of this committee to favorably report this legislation, and take Ohio one step closer to joining the 19 other states who have already adopted similar laws.

Once again, thank you to Chairman Huffman and the members of the committee for the opportunity to testify. We would be happy to answer any questions you may have.