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By Electronic Mail

Chair Cutrona
Ohio House Health Provider Services Committee

Re: HB 136

The Honorable Chair Cutrona and Members of the House Health Provider Services Committee:

On behalf of the 241 pharmacies owned and operated by Walgreen Co. servicing the state of Ohio, Walgreens thanks the House Health Provider Services Committee for the opportunity to comment on HB 136 authorizing the operation of remote dispensing pharmacies. Over 50% of states permit telepharmacy, including Indiana and Michigan, as those states agree with Walgreens position that telepharmacy is a safe and effective way to expand access to patient care for their citizens. Walgreens supports both telepharmacy and HB 136, although the proposed legislation contains some arbitrary and restrictive language prohibiting the innovation needed to improve patient access to healthcare.

According to the NABP Survey of Pharmacy Law, 246 pharmacies closed in Ohio between 2021-2022^{1,2}. Pharmacy closures and a shortage of workforce continue to lead to issues for Ohioans to access healthcare and increase health disparities. A study from USC looking at the 30 most populous U.S. cities between 2007 and 2015 found that Black and Latino neighborhoods had fewer pharmacies than white or diverse neighborhoods.³

The mileage restriction between pharmacies and volume limitations included in HB 136 is arbitrary and not based on patient safety. Mileage restrictions and volume limitations reduce the pharmacy's ability to expand and optimize staffing hours based on patient care and to innovate to increase patient access. Before the pandemic, many pharmacies had begun decreasing pharmacy hours, for example, reducing overnight, late-night and weekend hours based on volume, cost, and reimbursement. Telepharmacy services allow the ability to make a full-service pharmacy a telepharmacy for select hours of the day, freeing up the pharmacist to create longer, scheduled appointments for advanced clinical services. The concept of arbitrary mileage and volume restrictions does not exist in many states that permit telepharmacy, and some states with restrictive language are making revisions to current policy due to the underutilization of telepharmacy as intended. We urge Ohio not to make the same pitfalls and allow innovation to expand access for Ohioans safely.

Therefore, Walgreens recommends striking the arbitrary mileage requirement found on page 3, line 48, and the volume requirement found on page 5, line 107.

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<u>within ten miles of a pharmacy that serves the public as an</u>	48
<u>outpatient pharmacy.</u>	49

¹ NABP Survey of Pharmacy Law 2022

² NABP Survey of Pharmacy Law 2023

³ <https://www.usatoday.com/story/money/2022/12/15/pharmacies-trimming-hours-and-stores-what-means-patients/10855274002/> accessed: 6/12/2023



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<u>(F) All of the following apply to the operation of a</u>	103
<u>remote dispensing pharmacy:</u>	104
<u>(1) Unless otherwise approved by the board, a remote</u>	105
<u>dispensing pharmacy shall not dispense drugs pursuant to more</u>	106
<u>than an average of one hundred fifty prescriptions per day</u>	107
<u>during a ninety-day period.</u>	108

Walgreens thanks the House Health Provider Services Committee for the opportunity to provide comments on HB 136. Please feel free to contact me directly for additional information.

Sincerely,

Nichole Cover, RPh