

**Senate Health Committee**  
**June 12, 2024**  
**Nick Newman, PharmD, R.Ph. – House Bill 73 Opponent Testimony**

Chairman Huffman, Ranking Member Antonio and members of the Senate Health Committee, my name is Nick Newman, and I am a graduate of Ohio Northern University College of Pharmacy and have completed a Residency at The Ohio State University. I am currently the pharmacist-in-charge at an independent pharmacy called Essentra Pharmacy in Marengo, Ohio. As a practicing pharmacist in a small business, I'd like to express my deep concerns around House Bill 73, and its impact on patients and the profession of pharmacy.

To the best of my knowledge, many of the prescriptions I currently fill are for off label use. I say this because most of the prescriptions that are filled at a pharmacy do not contain a diagnosis. My years of education and training have taught me what medications are used for and their proper dosages and interactions as well as how to instruct patients on how to maximize the benefit of their medications on their health. It may seem ironic that most prescriptions do not have a diagnosis on them, but the role of a pharmacist generally focuses on treatment rather than diagnosis. My role is not to confirm the diagnosis of the prescriber but to ensure the benefits of the medication being used.

Should House Bill 73 become law, my role as a pharmacist would change. In order to know if a prescription is being used for its indicated use or an off-label use, I would have to have a diagnosis for each prescription that I fill. This will require prescribers placing a diagnosis on each prescription they write specific to that medication being prescribed. Otherwise, I risk violating state law.

For my patients, this means waiting while I contact a prescriber for a diagnosis should one not be on the prescription. As you can imagine, doctors are busy people and response times are rarely prompt. Meanwhile, the mother with the ill child, the senior who got a ride to my pharmacy or the dental patient in pain, will have to wait until I hear back from the prescriber to determine if House Bill 73 applies to the prescription or not. Mind you, the patient does not even have to know what House Bill 73 is or does. It is my responsibility alone to comply with state law.

While I have read a lot of debate about House Bill 73, little if any of it has focused on average Ohioans who simply want to get their prescriptions filled and go home. According to the IQVIA Institute for Human Data Science 2021, approximately 19 prescriptions are filled each year for every American. A fair portion of those 19

prescriptions are new and not refills. Each new prescription without a diagnosis would require me to stop, contact the prescriber and wait for a response. Meanwhile, there's an ill Ohioan stuck waiting and a pharmacist unable to continue their work simply due to House Bill 73. While the system today isn't perfect, it is far from broken.

I would like to conclude today with this final thought. I went to pharmacy school not only because knowing how medications work fascinates me, but more importantly it was the best way I knew how to serve and care for the great people in my community. Every prescription I fill I want to be done safely, efficiently, and done in a timely manner. If passed, House Bill 73 will slow down my ability to serve my patient as I track down a diagnosis on every prescription to make sure I am complying with state law. Ultimately, my patients will be the ones who suffer with longer wait times.

Thank you, Chairman Huffman and members of the committee, for allowing me to testify today. I would be happy to answer any question you might have.