

**House Bill 73  
Opponent Testimony, Senate Health Committee  
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Chair Huffman, Vice Chair Johnson, Ranking Member Antonio, and members of the Senate Health Committee, thank you for the opportunity to provide opponent testimony on House Bill 73, which would authorize the prescribing of off-label medications and if prescribed, generally require their dispensing. My name is Nikki Cooper and I am the Director of Government Relations for the Ohio Business Roundtable, a statewide business association comprised of CEOs and Presidents of the top companies in the state. We currently have over 100 members, collectively employing over 600,000 Ohioans and generating a revenue of more than \$2.5 trillion, which contributes significantly to Ohio's economy.

Our membership includes industry leading companies representing over 20 Ohio industries, including—but not limited to—companies such as KeyBank and Huntington in the banking sector; American Financial and Nationwide in the insurance sector; Kokosing in construction; CareSource, Cleveland Clinic, and many of Ohio's children's hospitals in healthcare; The Ohio State University and Miami University in higher education; Owens Corning, RPM International, Inc., and Procter & Gamble in manufacturing; AEP and Marathon in energy and utilities, among others.

The Ohio Business Roundtable supports policies that will strengthen our state's economic and workforce development, reduce onerous barriers for businesses, and foster an environment for businesses to invest and grow in Ohio while competing in the global economy. The backbone of these policies is our state's workforce, and ensuring the regulatory landscape in which they live and work supports them and is conducive to growth and advancement.



Our concerns with House Bill 73 are primarily centered around the legal and liability risks for both workers and Ohio businesses, as well as the unintended consequences for the recruitment and retention of our healthcare workforce.

The lack of specific liability protections for nurses and other staff when administering off-label medications without needing any tests or medical documentation creates uncertainty and opens healthcare workers, as well as their employers, to legal exposure. As a result, staff may be hesitant to fulfill these off-label or outside requests, leading to delays and inconsistencies in patient care.

Additionally, pharmacists currently exercise professional discretion when dispensing medication to prevent harmful drug interactions and make informed safety decisions in the context of a patient's drug history. Removing this professional judgement not only impacts patient safety, but also places pharmacists in a position where they may have to choose between facing legal consequences and jeopardizing a patient's well-being.

The U.S. Bureau of Labor Statistics projects overall employment in healthcare occupations will grow at an above-average pace over the next 10 years, with about 1.8 million openings each year due to growth and the need to replace workers. In a field where staffing shortages are a constant discussion and the legal stakes are already high for workers, Ohio should not be furthering policies that create even more legal uncertainty and remove professional discretion, disincentivizing individuals from continuing or considering careers in the healthcare industry.

For these reasons, the Ohio Business Roundtable is opposed to House Bill 73 and would be happy to answer any questions from the Committee.