

June 5th, 2024

To: The Ohio Senate Health Committee

Chairman Huffman, Vice Chair Johnson, Ranking Member Antonio, and members of the Senate Health Committee, thank you for the opportunity to provide my personal opponent testimony on House Bill 73.

My name is Allene Francis, and I am a Director of Pharmacy. I have been practicing pharmacist and leader throughout Northeast Ohio since 2009. Currently, I oversee the pharmacy operations of one of our large academic medical centers in Cleveland, Ohio. Our services include a level 1 trauma center, level 1 NICU, with over 1,000 beds, of which include 103 intensive care unit beds. We have been serving and caring for the community for over 150 years. I am writing to formally express my concern that House Bill 73 will harm the Ohio patients whom I care for.

First, I would like to acknowledge and stress that I am not opposed to off-labeled use of medications. As a specialty pharmacy clinician in a previous role, I routinely dispensed medications for patients for off-label use where appropriate. In fact, I have submitted hundreds of prior authorizations and appeal letters to insurance companies, in order for patients to be afforded the opportunity to procure these medically necessary medications for a variety of disease states and/or conditions. House Bill 73 does not expand the ability or access to off-labeled medication prescribing. Off-labeled prescribing and dispensing of medications has been a common practice since long before I became a pharmacist. On the contrary, House Bill 73 places the patient, the pharmacist and provider at risk by requiring the pharmacist to dispense any medication for off-label use, even in situations where doing so would go against the pharmacist's clinical judgement. As a pharmacist, my primary function is to ensure the medication prescribed for a patient is safe. House Bill 73 removes my duty as a pharmacist to protect our patients.

Furthermore, House Bill 73 will directly oppose our existing pharmacy practice law outlined by the Ohio Board of Pharmacy. We as pharmacists have a corresponding responsibility to ensure all prescribed medications are issued for a legitimate medical purpose, per OAC Rule 4729:5-5-15. As part of our roles as pharmacists, we are required to perform a drug utilization review (DUR). The DUR serves as a means of ensuring a medication is both safe and effective given a patient's concomitant disease states, medications, allergies, and conditions. House Bill 73 will force a pharmacist to dispense medications that may pose significant harm to a patient by removing our ability to intervene when potential safety concerns are identified during the DUR process, thereby going directly against our oath we take as pharmacists.

Lastly, House Bill 73 will require pharmacists to obtain any prescribed medication, even when it poses a threat to overall inventory or in times of drug shortages. As the specialty pharmacy manager during the early days of the pandemic in 2019, I personally witnessed the need to procure and limit our hydroxychloroquine drug supply for both our current patients suffering from rheumatoid arthritis or other lupus, as well as those referred to us from the local community pharmacies when this specific medication was being inappropriately prescribed for off-label use to treat COVID-19. House Bill 73 will remove our ability to ensure these patients remain on their current treatment regimens as appropriately prescribed. This is merely one example of a drug shortage that caught the attention of the media during the pandemic. We as pharmacists are constantly faced a multitude of drug shortages across all types of medications and formulations. As such, we work diligently in times of a drug shortage to ensure the medications are reserved for those patients who need them the most. House Bill 73 will remove our

ability to work collectively with our providers to make sure we have the right medications on hand for those in the greatest need or in which there are no alternative agents available for a given indication or condition.

Thank you for the opportunity to provide this written testimony in opposition to House Bill 73 and for your time considering the threat that it poses to our Ohio patients.

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