

Cheyenne Nutter  
12/08/2024

### HB 73 Opponent Testimony

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

My name is Cheyenne Nutter, and I am a pharmacy student in my final year of schooling currently on clinical rotations. As a licensed pharmacy intern, I have been able to practice under a pharmacist's supervision for 4 years. I have been employed in both community and inpatient pharmacy settings and have completed clinical rotations in various levels of patient care from rural community hospitals to large teaching hospitals. I am writing to express my concern that House Bill 73 will harm the Ohio patients whom I care for.

It became apparent upon starting my career in pharmacy that the public does not understand the crucial role pharmacists play in the community and in hospitals behind closed doors. Patients tend to only recall the physicians and providers they saw in office or while hospitalized. While the provider is coming into your hospital room to inform you of the plan, pharmacists are there outside the room with the other interdisciplinary team members. We are there giving recommendations to those providers to ensure you are receiving the best and safest care in regard to your medications. We do not just look at you as another patient, we individualize your care based on *your* needs. Every single medication we recommend has been weighed to determine if the benefit will outweigh any potential risks or harm to you. We are not deemed the pharmacology experts for show, and we do not complete rigorous training and receive a doctorate degree for display. In my time communicating and working on a team with providers, I have yet to see a provider not learn something new from a pharmacist on a daily basis.

This is not to say those providers are not adequately trained or prescribe medications without considering the risks. Pharmacists are trained more in depth on medications to know every unique detail that the provider may have missed. We act as a checks and balance system for providers, and we are the last line of defense from preventing harm occurring to a patient. With this, House Bill 73 completely takes away our ability to practice safe medication use. I have no opposition to off-label medication use, because clinically appropriate off-label prescribing already occurs with an extremely high frequency. House Bill 73 does not expand access to off label prescribing because it is already a widely utilized practice, what House Bill 73 does is remove patient protections by requiring pharmacists to dispense any prescription for an off-label use of a medication that we receive, even when it would harm our patient. I cannot begin to imagine how I would feel, if forced to decide between upholding the law or keeping one of my patients safe from a prescription that I know will harm them, House Bill 73; however, would make this nightmare a reality.

I am approximately 5 months away from graduating with my Doctor of Pharmacy degree and reading the oath of a pharmacist in front of my friends, family, and for my future patients I will care for. A portion of my oath states "I will apply my knowledge, experience, and skills to the best of my ability to assure optimal outcomes for all patients". House Bill 73 contradicts my oath and would require me to break not only my oath, but also the Ohio Administrative Code. Per OAC Rule 4729:5-5-15, pharmacists have a corresponding responsibility to ensure proper prescribing and must ensure that all prescriptions are issued for a legitimate medical purpose. Through mandating that pharmacists dispense medications regardless of whether they have a scientific and evidenced

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based objection, House Bill 73 would require pharmacists to dispense medications including those without a legitimate medical purpose and prevent us from adequately addressing issues identified.

House Bill 73 does try to provide liability protection to pharmacists should they be forced to dispense a medication that they believe will harm their patient, but this still will result in patients receiving dangerous and/or clinically inappropriate medications. I cannot imagine myself as a licensed, practicing pharmacist in a matter of months from now and being asked to neglect the entirety of my training and put patients at harm.

I acknowledge and value the efforts of the sponsors, committee members, and many others in delving into the intricate landscape of drug prescription and dispensing. Nevertheless, I respectfully urge you to not allow House Bill 73 to move out of the Senate Health Committee given its lack of necessity and the fact that it will create many patient safety risks that directly imperil the health and welfare of Ohio's citizens. 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 Ohio patients.

Sincerely, Cheyenne Nutter