

## **Proponent Testimony on House Bill 37**

### **Lora Miller, Ohio Council of Retail Merchants**

**March 2, 2021**

Good morning, Chairman Lipps, Vice Chairman Holmes, Ranking Member Russo and members of the House Health Committee. I stand before you today representing both the Ohio Council of Retail Merchants (OCRM) and the National Association of Chain Drug Stores (NACDS). On behalf of the 1,600 pharmacies and more than 6,700 pharmacists our organizations represent operating and providing patient care in Ohio, we appreciate the opportunity to support and suggest minor modifications to House Bill 37. We also want to thank Rep. Gayle Manning for sponsoring it.

The COVID-19 pandemic has underscored the importance of convenient, uninterrupted access to essential medications for Ohioans at their neighborhood pharmacies. We applaud the Committee for recognizing the valuable impact in making better access to emergency prescription refills permanently available to your constituents after the COVID-19 pandemic.

Emergency refills were an established practice in Ohio, even prior to the COVID-19 pandemic. When a prescriber cannot be reached, pharmacists can use emergency refill authority as another tool in their toolbox to help patients access the life sustaining medications they need. Given the severity of COVID-19 and the strain it has put on the entire healthcare system, pharmacists have relied on such tools even more to support their communities through the pandemic when prescribers' offices may have been closed or otherwise unreachable. While the COVID-19 pandemic will eventually be over, other health emergencies, natural disasters, and other extenuating circumstances will arise. Something as simple as an emergency refill gives patients one less thing to worry about amid an emergency, crisis, or extenuating circumstance, allowing them to focus their attention where it is needed most, while continuing to manage their health and chronic conditions.

As the legislative process on House Bill 37 continues, we urge the General Assembly to strongly consider fully aligning with the Emergency Guidance issued by the Board of Pharmacy that allowed pharmacists to better support their communities through the pandemic. Specifically, the Guidance allows pharmacists to: 1) provide emergency refills up to three times in a twelve-month period; 2) provide a one-time 90-day refill in lieu of three 30-day refills; and 3) provide up to a 30-day supply of a Schedule III-V medication if necessary. We respectfully request that #2 be added to the bill to complement #1 and #3 already included.

Importantly, House Bill 37 supports coverage for emergency refills so that patients can fully benefit without undue financial burden. Although the bill allows pharmacists to provide an emergency refill up to three times, coverage is only required for one refill. This gap will hinder patient access and limits the impact of the emergency refill access outlined in the bill as written. Such additional financial burden could put medication out of reach for some patients. We urge you to amend the bill to require coverage for all emergency refills to better support patients accessing critical medications.

Pharmacists have proven time and again that they have the knowledge and know-how to bring accessible and convenient healthcare into communities. Pharmacists know their patients well and are poised to determine if an emergency refill is appropriate for a particular patient in a particular situation. Pharmacists also are quite literally *the* medication experts of the healthcare professions and have in-depth knowledge of medicine and managing health conditions. Pharmacies are also very experienced in coordinating with patients' primary care providers and counseling patients on the importance of both routine and follow-up medical care.

Emergency refills are important tools for pharmacists to leverage depending on the patient's specific situation to ensure access to life sustaining and essential medications. With the COVID-19 pandemic underscoring the dangers of underlying chronic diseases, it is imperative that extenuating circumstances and emergencies, outside the patient's or the pharmacy's control, do not impede critical access to medications that treat and control chronic illness.

To ensure the health and well-being of Ohioans during this pandemic and beyond, as well as to move this important process forward, we strongly urge the committee to pass House Bill 37 with the requested modifications that will elevate the impact for patients as described in my testimony. Again, OCRM and NACDS extend our appreciation to Rep. Manning and the Committee for recognizing the opportunity to offer patients more options to access the critical medications they need. Thank you for your thoughtful consideration. I would be happy to address any questions you may have.