



Connected **for Life**

**House Bill 37
Proponent Testimony**

Gary Dougherty
Director, State Government Affairs
American Diabetes Association®
Senate Health Committee
September 15, 2021

Chairman Huffman and Members of the Senate Health Committee:

My name is Gary Dougherty and I am the Director of State Government Affairs for the American Diabetes Association® (ADA).

Every day, more than 4,000 people are newly diagnosed with diabetes in America. More than 122 million Americans have diabetes or prediabetes and are striving to manage their lives while living with the disease. The ADA is the nation's leading voluntary health organization fighting to bend the curve on the diabetes epidemic.

Today, I share with you the support of the ADA for House Bill 37 which enhances previously enacted legislation.

You've heard the story of Kevin Houdeshell, a northeast Ohio man who had diabetes, but died in early 2014 when he was forced to ration the last of his insulin after being unable to reach his physician over the New Year holiday to authorize a prescription refill.

In 2016, Ohio enacted legislation which has become known as Kevin's Law and it has become a model for many other states that have enacted similar legislation. Most recently, Texas, New York, and Michigan have enacted Kevin's Law. Kevin's Law permits a pharmacist, under certain conditions, to dispense an emergency supply of insulin or other chronic maintenance drug without a current, valid prescription.

Whereas Kevin's Law has been a lifesaving option for many, some people have not taken advantage of it because the emergency supply of insulin dispensed by the pharmacist is not covered by insurance. Prescription drugs, including insulin, do not work if you cannot afford them. And, as you know, insulin prices have spiraled out of control and are beyond the reach of many - for a medicine that, as of this year, is 100 years old.

The legislation before us today, HB 37, improves upon Kevin's Law by ensuring coverage of up to three emergency supplies of insulin or other life saving-drugs within any 12-month period.

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It is important to note that insulin can only be dispensed in a standard unit, i.e. a vial or a pen. Unlike a bottle of pills, a pharmacist cannot extract a certain amount of insulin from a vial and dispense it to a patient. Therefore, it is important to retain the language in the bill that allows for a “standard unit of dispensing” or the “lowest available supply.”

Insulin access is a high priority for the ADA and HB 37 will help achieve that goal.

On behalf of the more than 4.3 million Ohioans with or at risk for diabetes, the ADA urges your support for House Bill 37 which was passed overwhelmingly (92-3) by the House in May and will help individuals who have run out of insulin, no longer have refills left on their prescription, and are not able to reach their prescribers to call in a life-saving refill.

Thank you very much for your attention. If you have any questions, I will do my best to answer them for you.

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