

June 12, 2024

The Honorable Senator Stephen A. Huffman, Chair
The Honorable Senator Terry Johnson, Vice Chair
Senate Health Committee
South Hearing Room
1 Capitol Sq
Columbus, OH 43215

Chairperson Huffman, Vice Chair Johnson, and members of the Senate Health Committee:

We thank you for the opportunity to provide comments on the House Bill 73, which would codify the practice of prescribing any medication for off-label use and requires the dispensing of such a prescription. This legislation weakens the pharmacists' ability to ensure patient safety by preventing them from using both their independent judgement and expert understanding in prescription dispensing. Pharmacists have supported off label prescribing in the past, but passage of this bill could lead to unintended consequences such as disruptions in the drug supply chain and delays in patient care.

NCPA represents the interest of America's community pharmacists, including the owners of more than 19,400 independent community pharmacies across the United States and 385 independent community pharmacies in Ohio that employ over 4,000 full-time employees who filled over 25.4 million prescriptions last year. Our members are small business owners who are among America's most accessible health care providers in many communities.

Off label prescribing is common and can be safe, however, this legislation removes pharmacists from the process, undercutting a serious check in patient care. The role of pharmacists is not to diagnose but to improve outcomes through medication. Their expertise is imperative in avoiding mixing drugs and health conditions which is a process already done without a diagnosis on the prescription. HB 73 would require a diagnosis for them to determine if the prescription is of approved use or label, and for the pharmacists to avoid liability they would need to contact the prescriber which will take time from dispensing and patient counseling.

Another potential issue is disruption in the drug supply chain. During the COVID-19 pandemic there were documented shortages for hydroxychloroquine, commonly used to treat lupus and arthritis, because of a surge in prescriptions for off label use. HB 73 could lead to supply shortages among drugs, potentially ivermectin which is used to treat parasites in some animals. Ivermectin has been prescribed to treat COVID-19 and has caused ripple effects within the veterinary community.

We urge the committee to take seriously the potential harm this bill could do to both patient safety and the prescription drug supply chain.

If you have any questions about the information contained in this letter or wish to discuss the issue in greater detail, please do not hesitate to contact me at belawoe.akwakoku@ncpa.org or (703) 600-1179.

Sincerely,

A handwritten signature in black ink, reading "Belawoe Akwakoku". The signature is written in a cursive style with a large initial 'B'.

Belawoe Akwakoku
Associate Director, State Government Affairs
National Community Pharmacists Association