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To: Senate Health Committee

From: Ohio Association of Physician Assistants
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Subject: Opposition to Ohio House Bill 73 (HB73)

Chairman Huffman, Vice Chair Johnson, Ranking Member Antonio, and members of the Senate Health Committee, thank you for the opportunity to provide opposing testimony on House Bill 73. On behalf of the Ohio Association of Physician Assistants, we want to express our strong opposition to HB73 due to several critical concerns impacting healthcare providers and patient safety.

First, HB73 enables out-of-state providers to selectively intervene in the care of Ohio patients, potentially directing care in ways that may not align with established medical practices, which would force hospital physicians to provide any prescription medication requested by the patient. If they refuse, out-of-state providers could step in, obtain temporary credentials, and disrupt the coordinated care team, leading to fragmented and unsafe patient care.

Second, the bill mandates written informed consent for every off-label prescription, which makes up nearly one-third of all prescriptions. This requirement would impose an undue administrative burden on physicians and healthcare teams, who constantly need to distinguish between on-label and off-label indications. However, HB73 offers no benefit, potentially turning a necessary process into a redundant task without enhancing patient care.

Third, HB73 diminishes pharmacists' ability to intervene in unsafe prescription cases, forcing them to dispense any prescription regardless of potential harm. This eliminates an essential safeguard against dangerous prescribing practices.

Fourth, the bill paradoxically restricts the ability to prescribe controlled substances for off-label indications, undermining the much-needed flexibility in addressing unique patient needs, particularly in pediatric and psychiatric populations where off-label prescribing is common.

Fifth, HB73 restricts pharmacists from refusing prescriptions based solely on moral or religious grounds, depriving them of the ability to exercise scientific and clinical judgment. This restriction undermines their professional obligation to ensure the safety and efficacy of dispensed medications.

Sixth, the bill advocates for Ohio to dismiss World Health Organization guidelines. Despite not being legally binding, these guidelines offer valuable, evidence-based recommendations. Ignoring them isolates Ohio from global health standards and undermines efforts to uphold high-quality healthcare practices.

There are some additional specific concerns.

Off-label prescribing is a common and necessary practice in medicine. However, HB73 is not concerned with expanding access to off-label medications but with forcing pharmacists to dispense any off-label prescription, regardless of safety concerns. This mandate could lead to harmful situations, such as prescribing medications with severe adverse effects or dangerous interactions with other drugs the patient is taking. Particularly vulnerable populations, such as children and pregnant women, could be at significant risk if pharmacists are compelled to dispense unsafe medications.

HB73 could empower dangerous prescribers by providing them with temporary privileges to exploit patients through inappropriate prescribing practices. This scenario risks turning patients into subjects for unapproved and potentially harmful experimental treatments, bypassing established safety protocols and ethical standards in medical practice.

Effective patient care relies on coordinated efforts from traditionally well-established interdisciplinary teams. HB73 threatens to fracture these teams by allowing external providers to disrupt the continuity of care, leading to communication errors and increased risk of patient harm due to inconsistent medical decisions and lack of coordination.

The bill also conflicts with existing pharmacy practice laws that require pharmacists to ensure proper prescribing and conduct drug utilization reviews. By mandating the dispensing of any prescription regardless of scientific objections, the bill forces pharmacists to violate their professional and legal responsibilities, creating significant legal and ethical dilemmas.

Additionally, the bill requires pharmacists to obtain any medication ordered by a provider, regardless of availability, exacerbating logistical challenges and risking medication shortages. This practice undermines responsible medication stewardship and could lead to situations similar to the opioid crisis or antimicrobial resistance, where unchecked prescribing has had devastating public health consequences.

Finally, HB73 mandates hospitals to use patient-supplied medications if identifiable, disregarding existing policies that ensure such medications are safe and appropriate for use. This provision introduces unnecessary risks, such as improper storage, expiration, and potential alterations, compromising patient safety.

In conclusion, HB73 presents multiple significant risks to patient safety and Ohio's healthcare practice integrity. It undermines the role of healthcare providers, disrupts coordinated care, and imposes unrealistic and harmful mandates on pharmacists. We urge you to consider these concerns and vote against HB73 to protect the health and safety of Ohio's patients. Thank you for your attention to this critical issue.

The Ohio Association of Physician Assistants