

Senate Bill 477

Finance Committee

Public Health -Emergency Use Auto Injectable Epinephrine program – Revisions

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Good afternoon Madam Chair, members of the Finance committee.

My name is Anthony Clarke I am an owner and operator of a group of restaurants based here in Annapolis and Anne Arundel County

I am here today to speak in support of Bill 477 and support the ability of individual food service establishments to be enabled, if they so choose, to be prescribed, obtain and have on their premises an auto injectable Epinephrine.

I have spoken in support of similar bills here at the senate and the house since 2013. I have quoted similar stories (one from my home country in Ireland that originally spurred me to work on promoting the idea of Epinephrine availability in restaurants here in the US) such as the untimely and unnecessary death of 42 year old Chris Trimper in Ocean City which has instigated this bill before you. It is time that this type of bill was passed, and the availability of epinephrine expanded within our communities.

Our restaurants are well known in the community and we have a solid reputation for looking after our guests and adjusting to market changes particularly when we see a need. Some of those needs that have increased over the last decade are the requirement for transparency for food ingredients, food intolerances accommodations and the education of food borne allergies for restaurant managers and employees. We take these needs seriously and have spent a lot of time adding more relevant information to our menus, educating our staff and managers and working hard at listening so that our customers are confident when discussing their own or their child's allergy so that they can trust us not to kill them.

In 2013 I participated in a Maryland State Task force to determine a new plan for the training of food service employees regarding food allergies the results of which have now been passed into law. We as restaurant operators have a responsibility to take care of our customers and be knowledgeable about what and how we serve food items to the public. Food allergies in America are estimated to be around 8% in Children and somewhere less than 10% in populations as a whole. According to the CDC food allergies among children 0-17 years of age increased from 3.4% to 5.1% between 1997 and 2011. Food allergies are not on the decline if anything they will continue to increase as much as the purchase of food items from an ever expanding delivery source increases.

Although I do not have an allergy myself my daughter became ill with an auto immune disease at the age of 5 and with no answers as to what it was we as parents tried everything including the elimination of gluten so I learned a lot about Celiac disease and other reactions to the more immediately dangerous food allergies. The son of a good friend of mine was diagnosed with a peanut allergy at the age of 3 months. I learned a lot from the parents of this child and how it felt like a war zone to them when they entered a restaurant because they were not in control of what their child might become exposed to, touch or by accident consume.

These parents carried epi pens with them all of the time. As their son grew older, he was able to carry his own and they also know that their school teachers had back up epi pens at hand.

The main argument I have heard against the passing of a bill to allow food service establishments to get and hold epi pens for emergency use is liability – well I believe that this argument is being used as a litigious excuse to not allow people to have the ability to save people like Chris Trimper or give extra comfort to people that might want to trust a restaurant and feel like they know the enemy and even though accidents can happen there are rescue options in place and more widely available. The only thing that can reverse anaphylaxis is a simple epi pen.

I have yet to hear of one story or report of an Epi Pen being used to harm a person the only stories I have heard regarding the death of someone in connection of the need for an Epi Pen is the lake of one and this story I have heard a lot.

At one of our restaurants we have recently been approached and asked to carry Narcan emergency packs and for our staff to be given training in case of an overdose situation – this was offered to us by our local Fire Department. I understand the opioid epidemic and that the availability of Narcan to keep people alive is vital and availability and quickness of application is key to its success – Well the Epi Pen is the same and the availability and quickness of application is key here - as proved by Chris Trimper's death

Be sensible with this bill and allow the expanded availability of epi pens within your community.

Thank you for your time – I am happy to answer any questions or elaborate on any part of my testimony