

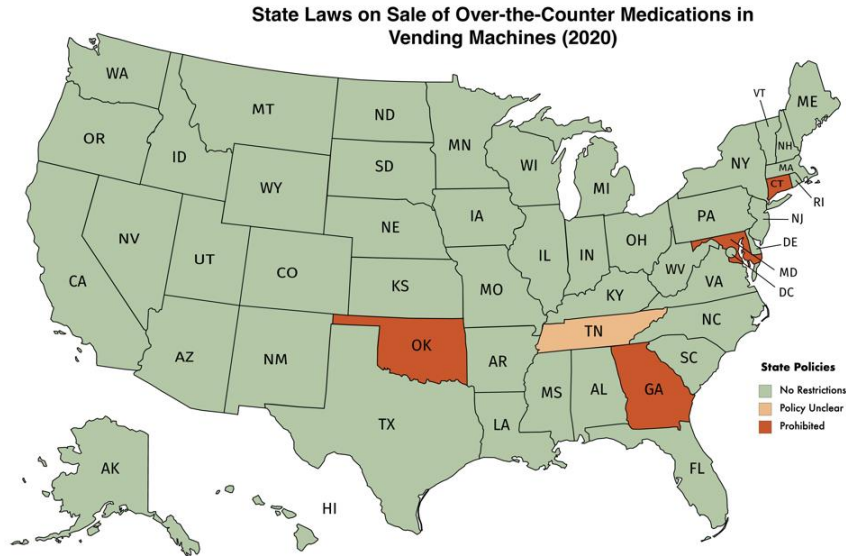
Support SB 499 Prohibition on Vending Machine Sales of Drugs and Medicine Repeal
Senate Finance Committee Hearing
February 18, 2021

To the Honorable Chair Kelley and Members of the Senate Finance Committee:

Thank you for the work of the Maryland General Assembly to increase access to health care services in underserved communities. Your commitment has allowed Maryland to move forward on innovative approaches, such as telehealth, to reduce barriers to care.

We are writing today about our support of SB 499. This simple bill will provide another tool for communities to address gaps in access to medication. Unlike 46 other states and the District of Columbia, Maryland prohibits the sale of over-the-counter (OTC) medications in vending machines. There is no information about why Maryland enacted this provision, as there are no records for laws that old. We know with certainty, however, that this law is outdated and places Maryland behind other states.

A 50-state review (including Washington DC) conducted by Public Policy Partners, in partnership with the National Health Law Program, in 2020 has shown that 46 states have no existing restrictions on OTC medication sales in vending machines as demonstrated below.



Source: Public Policy Partners and National Health Law Program, 2021

OTC medications are medications approved by the federal Food and Drug Administration, and there are no federal restrictions on where these medications are sold. OTC medications can be commonly found in grocery stores, convenience stores, gas stations, and vending machines when allowed. OTC medications include pain medication, such as aspirin, cold/flu relief, and allergy medication. Potential vending machine locations include community settings such as college campuses, airports, city transit locations, office parks, and on medical campuses.^{i,ii} Further, repealing this ban can positively impact Marylanders in several ways as outlined below.

- 1. This bill would allow for increased round the clock access to OTC medications, especially in currently underserved areas including Western Maryland, the Eastern Shore, and in urban area and minority/low-income communities where pharmacy density (and especially 24-hour pharmacy density) tends to be lower.** ^{iii, iv, v, vi}
- 2. Access to OTC medications in vending machines reduce unnecessary clinical contact and help increase physical distancing in response to COVID-19.** ^{vii,viii ix x}
- 3. Access to OTC medications in vending machines could help reduce healthcare spending on acute illnesses, as OTC medications reduce clinical contact (especially emergency care) and save on prescription medication spending.** ^{xi, xii xiii}
- 4. Thinking beyond current use in other states, in neighborhoods with low access to pharmacies and other health resources, strategically placing pharmaceutical vending machines could help mobilize existing assets such as community centers and churches as hubs for health education messaging, and contents of machines could be tailored to fit specific health care needs.**

Thank you for the opportunity to submit this testimony. We, the undersigned, ask for a favorable report on SB 499.

ACLU of Maryland

American College of Nurse Midwives – Maryland Affiliate

Baltimore NOW

Sharon L. Camp, PhD

Rajani Gudlavalleti, director of mobilization, Baltimore Harm Reduction Coalition

Health Care for the Homeless

Giselle Joseph, Community Health Outreach Worker

University of Maryland School of Social Work - B'More Healthy Babies Promise Heights

Maryland Academy of Advanced Practice Clinicians

Maryland Academy of Physician Assistants

Maryland National Organization for Women

Maryland Nurses Association

Dan Morhaim, M.D. - Maryland State Delegate 1995-2019

National Health Law Program

Public Justice Center

Carolyn Sufrin, MD, PhD; Assistant Professor, Johns Hopkins School of Medicine

Delaram J. Taghipour, MD, MPH, MBA

Susan F Wood, PhD; Former Assistant Commissioner for Women's Health, US Food and Drug Administration

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- ^{xiii} Consumer Healthcare Products Association. (2019). OTC Use Statistics. Retrieved from <https://www.chpa.org/about-consumer-healthcare/research-data/otc-use-statistics>