

MedChi

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TO: The Honorable Shane E. Pendergrass, Chair
Members, House Health and Government Operations Committee
The Honorable Harry Bhandari

FROM: J. Steven Wise
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DATE: January 20, 2022

RE: **OPPOSE** – House Bill 28 – *Pharmacists – Aids for the Cessation of Tobacco Product Use*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **opposes** House Bill 28. Similar legislation has been introduced for several years but has never emerged from the Committee, and we would ask for the same result in 2022.

House Bill 28 allows pharmacists to prescribe and dispense “nicotine replacement therapy medications approved by the U.S. Food and Drug Administration as an aid for the cessation of the use of tobacco products.” MedChi does not believe this is an appropriate role for pharmacists who do not have the medical training to conduct a complete medical examination of the patient prior to prescribing these products. Why is a prior medical examination important? Some nicotine replacement therapies (NRT), according to their own label, should not be used if the patient suffers from other medical conditions. The label for Nicorette gum, for example, states that a physician should be consulted if the patient has a sodium restricted diet, heart disease, high blood pressure, stomach ulcers, or diabetes. Often times a patient does not know they have these conditions, absent the medical exam that a patient would receive from a physician prior to writing a prescription. A pharmacist is not trained to conduct such an exam and is writing a prescription without making sure it is appropriate for the patient involved.

The need for a primary care provider’s involvement is acknowledged in the bill, requiring that a pharmacist refer the patient to a primary care provider. However, this is done **AFTER** the prescription is written and the medication dispensed. If there is risk that a primary care provider should be assessing, as the bill acknowledges, it should be assessed **BEFORE** the medication is dispensed and there is a bad outcome, not afterward.

Finally, the irony of this legislation should not be lost on the General Assembly. Some pharmacies still sell tobacco products, the cause of the condition that prompts a person to seek smoking cessation products. Pharmacies should first stop selling the products that cause the condition before they seek to profit even further from products that mitigate its effects.

For these reasons, MedChi opposes House Bill 28.

For more information call:

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