



**Date:** February 27, 2023

**To:** The Honorable Jocelyn Pena-Melnyk, Chair

**From:** Aliyah N. Horton, CAE, Executive Director, MPhA, 240-688-7808

**Cc:** Members, House Government Operations Committee

**Re:** **UNFAVORABLE HB 456 – Pharmacies- Prescription Drugs-Accessible Labels for Blind, Visually Impaired, and Print Disabled Individuals**

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The Maryland Pharmacists Association (MPhA) urges an UNFAVORABLE report for **HB 456 – Pharmacies-Prescription Drugs-Accessible Labels for Blind, Visually Impaired, and Print Disabled Individuals**. There was no effort from bill stakeholders to collaboratively address the issue of accessible labels prior to the introduction of this bill.

### **Singles out Pharmacies and disregards other HealthCare Providers**

- The bill does not address all providers and dispensers of medication and medical information.
- Are physicians required to do this for their treatment summary documents or physicians who dispense out of their clinic, hospital with discharge summaries, veterinarians for animal medications, etc...?
- Manufacturers also distribute medications that have language directly on the packaging (fluconazole for urinary tract infections, Zithromax/Z-Pak for infection, bowel prep for colonoscopies, among others.)

### **Unfunded Mandate on Pharmacies...Who is going to pay for this?**

- The bill states that accessible labels of the patient's choice would be required at no cost.
- Pharmacies already have below cost reimbursements for medications and minimal fees for dispensing costs, if at all.
- Insurance does not cover compliance packaging (like blister packs, etc.) outside of closed-door pharmacies. Pharmacies that do these services currently charge the patient for the additional service, which would be prevented by the language in the bill.
- The language also states that the label has "to be provided within a timeframe comparable to information provided to other customers without visual impairment." Many prescriptions are provided within a 15 minute to 1 hour window. This would absolutely require additional investment in technology and/or use of an outside vendor, without certainty that the technology will even be used.
- The "brick and mortar" pharmacy community is made up of small independent pharmacies, larger chains and outpatient hospital pharmacies. The capacity to meet and invest in the technology varies substantially. We are concerned that this is another unfunded mandate that may push our independents out of business and reduce access to pharmacists in communities that need them.

MPhA urges an **UNFAVORABLE report of HB 456**. We are open to working with the bill sponsor and stakeholders to identify an alternate pathway for more appropriate accessibility to prescription medication information for the blind and visually impaired. However, we believe this bill is not the way to do it.