



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 429
Pharmacists - Required Notification and Authorized Substitution - Lower-Cost Drug or Device Product

Statement in SUPPORT

Chair Pendergrass, Vice-Chair Pena Melnyk and Members of the Health and Government Operations Committee, thank you for the opportunity to testify today in support of HB429, which will help lower the out of pocket costs patients spend on their prescription drugs, reduce prescription drug abandonment, and help patients adhere to their treatment plans. This bill is identical to a bill from 2020, HB1119, that passed unanimously out of this committee and out of the House of Delegates, but unfortunately was unable to be considered in the Senate due to the shortened session.

Under current law in Maryland, unless a provider indicates that a therapy must be ‘dispensed as prescribed/written,’ a pharmacist may substitute a lower cost generic drug in place of a higher-cost brand drug. Pharmacists may also substitute a lower cost generic drug for a higher cost generic drug that is therapeutically equivalent.

HB429 will require pharmacists to notify patients of the lowest cost drugs that are therapeutically equivalent, and authorize the pharmacist to make the substitution, unless a provider indicates that a therapy must be ‘dispensed as prescribed/written.’ Allowing pharmacists to do this will help lower patient out-of-pocket costs, ensuring that patients fill their prescription and adhere to their treatment plans.

Increased out-of-pocket costs are a driving factor for prescription drug abandonment and increased hospitalizations. An average of \$1,200 per person is spent on medications per year,¹ with a recent survey of 1,000 patients revealing that 75 percent received a prescription that cost more than expected and half did not pick-up a prescription because it cost too much when they arrived at the pharmacy.² As of 2018, nearly half of consumers have abandoned a prescription

¹Langreth, R. (2019). Drug prices. Retrieved from <https://www.bloomberg.com/quicktake/drug-prices>

²Lagasse, J. (2018). Nearly half of consumers abandoned a prescription at the pharmacy because it was too expensive. Retrieved from <https://www.healthcarefinancenews.com/news/nearly-half-consumers-abandoned-prescription-pharmacy-because-it-was-too-expensive>

due to cost.³ Non-adherence results in 125,000 preventable deaths each year, \$300 billion in healthcare costs.⁴ Giving patients options of lower cost-drugs that are therapeutically equivalent will reduce prescription drug abandonment and lower overall costs on our healthcare system.

I respectfully request a favorable report on HB429. Thank you.

³Lagasse, J. (2018). Nearly half of consumers abandoned a prescription at the pharmacy because it was too expensive. Retrieved from <https://www.healthcarefinancenews.com/news/nearly-half-consumers-abandoned-prescription-pharmacy-because-it-was-too-expensive>

⁴ L., J. (2018). 15 frightening stats on medication adherence. Retrieved from <https://www.pillsy.com/articles/medication-adherence-stats>