



March 24, 2022

The Honorable Shane Pendergrass
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, MD 21401

RE: SB 62 - Pharmacists - Aids for the Cessation of Tobacco Product Use – Letter of Support

Dear Chair Pendergrass and Committee Members:

The Maryland Cancer Council (the Council) is submitting this letter of support for Senate Bill (SB) 62 (3rd) entitled “Pharmacists - Aids for the Cessation of Tobacco Product Use.” This bill would authorize a pharmacist who meets the requirements of regulations adopted by the State Board of Pharmacy to prescribe and dispense nicotine replacement therapy medications approved by the U.S. Food and Drug Administration as aids for the cessation of the use of tobacco products.

The Council supports SB 62 (3rd) as an important public health measure that furthers the Council’s mission to reduce and control cancer incidence, mortality, and morbidity in Maryland. The Council agrees with the following statements as they relate to passage of SB 62 (3rd):

1. In 2016, over 60 percent of Maryland adult cigarette smokers attempted to quit, with medications being the preferred tobacco cessation method.¹ The U.S. Public Health Service has concluded that effective cessation treatments include individual, group, or phone counseling and seven FDA-approved cessation aids.² Reducing barriers to accessing FDA-approved cessation aids increases use of these treatments and quit rates.³
2. Training pharmacists to prescribe and dispense cessation aids without a physician prescription can play a vital role in providing the 728,537 adult tobacco users in Maryland – including Medicaid participants who have higher rates of tobacco use – access to these effective cessation aids.⁴

¹ Maryland Department of Health. Monitoring Changing Tobacco Use Behaviors: 2000-2016. Baltimore: Maryland Department of Health, Prevention and Health Promotion Administration, Cancer and Chronic Disease Bureau, Center for Tobacco Prevention and Control, May 2018. Accessed 25 January 2022 at <https://phpa.health.maryland.gov/ohpetup/Documents/2000%20-%202016%20Legislative%20Report%20Monitoring%20Changing%20Tobacco%20Use%20Behaviors.pdf>.

² Fiore MC, Jaen CR, Baker TB, et al. Treating Tobacco Use and Dependence: 2008 Update. Clinical Practice Guideline, U.S. Department of Health and Human Services, May 2008. Accessed 25 January 2022 at <https://www.ncbi.nlm.nih.gov/books/NBK63952/>.

³ Id, fn 2

⁴ Maryland Behavioral Risk Factor Surveillance Survey (2020), unpublished.

3. Access at a pharmacy captures an opportunity, providing a cessation aid when an individual is motivated to quit without having to first obtain a prescription from a health care provider. Often, availability and accessibility to a pharmacist is easier than visiting a traditional healthcare provider.
4. This bill would also provide ease of coverage for Maryland Medical Assistance Program enrollees who are required to have a written prescription for over-the-counter medications to be covered.⁵

The following precedents are in place for pharmacists' prescribing authority:

- SB 363 (2017) authorized Maryland pharmacists to prescribe and dispense contraceptives beginning in January 2019.⁶
- Maine, Vermont, West Virginia, Indiana, Minnesota, Iowa, Missouri, Arkansas, Colorado, New Mexico, Arizona, California, Oregon, and Idaho have authorized pharmacists to provide cessation medications to patients.⁷
- The Center for Medicaid and Child's Health Insurance Program (CHIP) Services strongly support pharmacists' authority to prescribe medications such as nicotine cessation products.⁸

Expanding prescriptive authority to pharmacists would have an even greater impact on cessation rates if pharmacies removed tobacco products from their shelves. CVS pharmacy and Target, which has many in-store pharmacies, no longer sell tobacco products. The Council urges other pharmacies to promote cessation and tobacco-free living by eliminating the sale of tobacco products.

The Council requests this Committee's favorable review of SB 62 (3rd). Tobacco use is the largest cause of preventable morbidity and mortality in Maryland. Broadening the accessibility of FDA-approved cessation aids will help to reduce tobacco use, thereby reducing tobacco-related cancers, disease, and death in Maryland.

Sincerely,



Kevin J. Cullen, MD
Chair,
Maryland State Council on Cancer Control

⁵ As of January 2014, the Affordable Care Act requires Medicaid programs to cover all FDA-approved tobacco cessation aids including over-the-counter medications with a written prescription.

⁶ Chapter 821 of the Acts of 2017 (SB 363)

⁷ National Alliance of State Pharmacy Associations. Pharmacists Authorized to Prescribe Tobacco Cessation Therapy in More States, 23 June 2017. Accessed 25 January 2022 at <<https://nasp.us/resource/tobacco-cessation>>.

⁸ Vikki Wachino. State Flexibility to Facilitate Timely Access to Drug Therapy by Expanding the Scope of Pharmacy Practice using Collaborative Practice Agreements, Standing Orders or Other Predetermined Protocols, Centers for Medicare and Medicaid Services, 17 January 2017. Accessed 25 January 2022 at <<https://www.medicare.gov/federal-policy-guidance/downloads/cib011717.pdf>>.