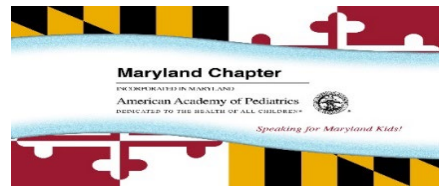




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MID-ATLANTIC ASSOCIATION OF
COMMUNITY HEALTH CENTERS

TO: The Honorable Shane E. Pendergrass, Chair
Members, House Health and Government Operations Committee
The Honorable Clarence K. Lam

FROM: J. Steven Wise
Pamela Metz Kasemeyer
Danna L. Kauffman
Christine K. Krone

DATE: March 24, 2022

RE: **OPPOSE** – Senate Bill 355 – *HIV Prevention Drugs – Prescribing and Dispensing by Pharmacists and Insurance Requirements*

On behalf of the Maryland State Medical Society, the Maryland Chapter of the American Academy of Pediatrics, and the Mid-Atlantic Association of Community Health Centers, we submit this letter of **opposition** for Senate Bill 355. Senate Bill 355 would authorize pharmacists to prescribe and dispense certain HIV prevention drugs to a patient. While the above-named organizations appreciate the intent of the legislation is to facilitate access to both pre- and post-exposure prophylaxis HIV medications, they have a number of concerns with this proposal.

First, the bill allows a pharmacist to dispense a 30-day supply, but no more than a 60-day supply, of pre-exposure prophylaxis without a prescription under certain circumstances. There is concern that patients will pharmacy shop and continue to receive these incremental supplies instead of seeking needed medical care from a physician or other provider. Furthermore, a provider would not know how many 30-day supplies of pre-exposure prophylaxis a patient has received, because maintaining electronic medical records is not part of a pharmacists' normal protocols, and these drugs are not subject to the Prescription Drug Monitoring Program.

Further, the inclusion of post-exposure prophylaxis in the medications that a pharmacist is authorized to dispense without a prescription is also of concern. The recommended medical care, counselling, and other services that should be provided post-exposure differ from those required for pre-exposure and are not within the scope of practice of a pharmacist.

Finally, the bill allows a pharmacist to order an HIV test for a patient after the pharmacist "screens" the patient. Pharmacists are not permitted under their scope of practice to order tests without a prescription from a prescriber and are not trained to "screen" patients in the way that physicians are.

For these reasons, the above organizations oppose Senate Bill 355.

For more information call:

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