

May 4, 2020

The Honorable David Hickernell
Chairman, House Professional Licensure Committee
Pennsylvania House of Representatives
43A East Wing
Harrisburg, PA 17120-2098

RE: House Bill 2461, PN 3667

Dear Representative Hickernell,

On behalf of the undersigned organizations, we write to respectfully oppose House Bill 2461, P.N. 3667. HB 2461 takes the contents of House Bill 91, (introduced and referred on January 28, 2019) and places the language into House Bill 2461. Additionally, it adds more expansive scope of practice language and uses COVID-19 as the reason it is needed.

To be clear, we share your desire to test for COVID-19, bring pharmaceuticals to the market that treat COVID-19 and develop a vaccine to prevent COVID-19. As we have done thus far, physicians stand ready to support the Committee and General Assembly towards these goals. At this time however, HB 2461 is not needed to address any of these public health goals.

House Bill 91, now in HB 2461, permits pharmacists to administer injectable medications, biologicals and immunizations to patients nine years or older, lowering the age from the current statutory requirement of 18 years or older. Additionally, it permits pharmacists to inject the flu vaccination into infants and children under nine years of age. We believe the current statutory limitations are in the best interests of patients and do not need to change.

HB 2461 also expands the scope of practice of pharmacists to include administering clinical tests. Specific to COVID-19, pharmacists are permitted to order and administer injectable medications, biologicals, immunizations and vitro diagnostic tests. HB 2461 also permits chain pharmacies to order and administer any test waived by the US Food and Drug Administration during the Governors' emergency order and 90 days after the order is lifted.

On the issue of COVID-19 testing, at this point, there is not a lack of medical professionals to conduct tests, but a lack of tests. We believe that testing should be done in a patient's primary care medical home. Further, pharmacists do not have the medical knowledge or education to properly counsel patients on the limitations of testing, including but not limited to, proper discussions of false positive and false negative results, and how to proceed based upon that particular patient's clinical situation. Finally, we ask that you consider keeping the sick away from the healthy. Pharmacies do not have the capacity, nor were they intended to isolate positive/presumptive positive persons. Again, testing should be done in a properly designed system, including a patient's medical home.

While we are making significant strides, the scientific community has limited concrete science to support treatment of COVID-19, let alone a vaccine. We believe it is extremely premature to expand a legal scope of practice on a vaccine that currently does not exist. Finally, the science community has no understanding of what may be the side-effects of any vaccine that may come to market relative to COVID-19.

We believe that enacting legislation with long-term public health implications, while having no understanding of what the science has to offer in combatting COVID-19, is not good public policy, nor good for the public health. Further, we do not believe there is any nexus between COVID-19 and expanding a pharmacist's ability to inject infants and children under the age of nine with the influenza vaccine.

It is for these reasons and more, we ask that you not move HB 2461. Thank you for your time and consideration of our collective position.



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