



April 27, 2020

The Honorable Evan Low
Chair, Assembly Business & Professions Committee
State Capitol, Room 4126
Sacramento, CA 95814

Re: **AB 2983 (Holden) Pharmacies: automatic refills - OPPOSE**

Dear Chairman Low,

The California Retailers Association (CRA) and the National Association of Chain Drug Stores (NACDS) write to regretfully register our opposition to AB 2983 by Assemblyman Chris Holden, which would prohibit pharmacies from automatically contacting prescribers to authorize a prescription for any dangerous drug or device for more than a 7-day supply refill without authorization from the prescriber or patient. It would also require a pharmacy to obtain separate authorization for each prescription and would prohibit a pharmacy from requesting more than the number of refills authorized in the original prescription.

California is in the midst of a declared State of Emergency due to the COVID-19 pandemic. During this time, when the healthcare system is at risk of being overloaded, California has been working to ease restrictions on pharmacies, hospitals, and other segments of the healthcare infrastructure to ensure access to care is protected. AB 2983 would have the opposite effect, limiting Californians' access to critical medications.

Requiring pharmacists to contact patients and physicians to obtain an additional authorization to call and request fill authority is an overly burdensome step and will not result in increased patient safety. Patients may call to request a refill not realizing that their prescription has no refills. Such requests are often left on the pharmacy's voicemail or submitted online or electronically, resulting in a notation that the pharmacy should call for refill authorization. This has always been pharmacy practice and is an efficient way to ensure patients receive their refills. AB 2983 would require pharmacists to obtain an extra authorization from the physician and the patient in order to obtain the refill authorization. This is unnecessary, as a physician who does not wish to authorize the refill request simply denies the refill and requests that the patient make an appointment.

In addition, prescribers often only initially prescribe refills when starting therapy, approving additional refills once the patient is stabilized on a treatment plan. This bill is

inefficient and will make it more difficult for patients to obtain medications necessary for a new course of therapy or ongoing maintenance.

The California Retailers Association is the only statewide trade association representing all segments of the retail industry including general merchandise, department stores, mass merchandisers, restaurants, convenience stores, supermarkets and grocery stores, chain drug, and specialty retail such as auto, vision, jewelry, hardware and home stores. CRA works on behalf of California's retail industry, which currently operates over 400,000 retail establishments with a gross domestic product of \$330 billion annually and employs over 3 million people—one fourth of California's total employment.

The National Association of Chain Drug Stores represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate over 40,000 pharmacies, and NACDS' over 80 chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 157,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and health care affordability.

For the reasons listed above, we must oppose AB 2983. Please do not hesitate to contact Jennifer Snyder or Lindsay Gullahorn with Capitol Advocacy at (916) 444-0400 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rachel Michelin".

Rachel Michelin
President
California Retailers Association

A handwritten signature in black ink, appearing to read "Steve C. Anderson".

Steve C. Anderson, IOM, CAE
President & Chief Executive Officer
National Association of Chain Drug Stores

cc: The Honorable Chris Holden, Author
Members, Assembly Business & Professions Committee