



July 7, 2020

The Honorable Steve Glazer, Chair  
Senate Business, Professions & Economic Development Committee  
State Capitol, Room 5108  
Sacramento, CA 95814

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

Dear Chairman Glazer:

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 will significantly limit the ability of pharmacies to request refills on behalf of patients. Automated refills allow pharmacies to ensure patients stay current on medications while maintaining the discretion of prescribers to approve or deny these refills.

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.

The June 15 amendments to AB 2983 – while a step in the right direction – do not address our primary concerns. As amended, this bill will still interfere with patient access to medications by making the automated refill process inefficient. It continues to prohibit pharmacies from automatically contacting prescribers to authorize a prescription for more than a 30-day supply without authorization from the prescriber or patient. It also prohibits pharmacies from requesting more than the number of refills authorized in the original prescription.

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. Automated refills are an efficient way to ensure patients receive their medications, especially those with chronic conditions managing multiple medications. By limiting and adding unnecessary steps to this practice, AB 2983 could cause patients to miss doses of essential medications and end up in the emergency room or worse. Further, 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.

Prescribers always maintain discretion to approve or deny a prescription. If a prescriber receives an automated refill request from a pharmacy and does not believe it is appropriate for their patient, they simply deny the request. AB 2983 will only create an unnecessary administrative bottleneck that will lead to decreased access to care for patients who need refills to adhere to their course of therapy.

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 155,000 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,



Rachel Michelin  
President  
California Retailers Association



Steven C. Anderson, FASAE, CAE, IOM  
President and Chief Executive Officer  
National Association of Chain Drug Stores

cc: The Honorable Chris Holden, Author  
Members, Senate Business, Professions & Economic Development Committee