

PENNSYLVANIA OSTEOPATHIC MEDICAL ASSOCIATION (POMA)
MEMORANDUM

TO: Pennsylvania House of Representatives
FROM: Gene M. Battistella, DO, POMA President
DATE: November 17, 2020
RE: Oppose or Revert to Prior Printer No. 4403, on House Bill 770 on Concurrence



On behalf of the Pennsylvania Osteopathic Medical Association (POMA), I write to ask you to either vote no on House Bill 770, which is in the House on Concurrence with Senate amendments, or revert to prior printer number 4403 to remove amendments made on the Senate floor.

HB 770 was intended to establish a pharmacy technician position in the Pharmacy Act. However, it was amended on the Senate floor and sent to the House on concurrence. The Senate floor amendments included language that would permit "*pharmacies and pharmacists*" the ability to, "*order and perform laboratory examinations and procedures for Influenza, COVID-19 and Streptococcal infections.*" POMA has serious questions and concerns with this language being enacted.

Neither pharmacies nor pharmacists can diagnose or treat patients independently. The fundamental nature of ordering diagnostic testing is because a medical diagnosis indicates the need for the test. This raises multiple red-flag scenarios that cannot be answered by the vague and broad language inserted into HB 770 by the Senate floor amendments. For example, the person ordering the test is responsible for the appropriate follow-up to ensure the patient receives appropriate follow-up treatment. Appropriate follow-up care may include ordering a chest x-ray, prescribing medication, evaluating a false-positive or false-negative test result, and many other options that a trained physician can consider when treating the whole patient.

It is not as easy to merely segment care for a patient, test them for strep, influenza or COVID-19, then write a prescription and you are done. If a strep test is negative, there are many other bacterial causes of infection that may be missed if the patient is not properly evaluated by a physician. This could play out similarly in testing for influenza and COVID-19. Further, a patient may not seek further care and have a false sense of assurance if a test like strep came back negative, but the patient remained sick. This scenario is likely to spread infection by patients if, not properly diagnosed and treated by a physician ordering the test.

POMA recognizes the access to care gaps pharmacies and their pharmacists can provide on immunizations. But the amendments in HB 770 are not about immunizations. The Senate amendments are about diagnostic testing that should be ordered by the treating physician, not a pharmacy or pharmacist.

POMA respectfully asks for you to vote no on HB 770 on Concurrence in Senate amendments, or revert to prior printer number 4403 to remove amendments made on the Senate floor. Thanks in advance for your time and consideration of this request.