PRESENTATION OF THE BOARD OF PHARMACY

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE Regular Session of 2017

Tuesday, March 14, 2017 8:30 a.m.

WRITTEN TESTIMONY ONLY

TESTIMONY ON SENATE BILL NO. 513, S.D. 1, RELATING TO CONTRACEPTIVE SUPPLIES.

TO THE HONORABLE DELLA AU BELATTI, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer for the Board of Pharmacy ("Board"). I appreciate the opportunity to submit written testimony on Senate Bill No. 513, S.D. 1, Relating to Contraceptive Supplies, which would authorize pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients. Unfortunately, I am unable to attend this hearing due to a scheduled Board of Nursing meeting at the same time.

The Board supports this bill as certain healthcare services provided by pharmacists are vital in ensuring that residents of this State have access to safe health care, and this measure will promote greater health care access in a reasonable way. This bill ensures that pharmacists receive specialized education and training to prescribe and dispense contraceptive supplies. Pharmacists who wish to prescribe and dispense contraceptives will not only "dispense" medication but will have to counsel and refer patients to the patient's primary care provider. Testimony on Senate Bill No. 513, S.D. 1 Tuesday, March 14, 2017 Page 2

Additionally, this measure was amended by the Senate Committee on Commerce, Consumer Protection, and Health to include provisions from House Bill No. 1896 (2016) to allow pharmacists to be reimbursed for contraceptive supplies and services. While the Board believes that adequate reimbursement for pharmacists who provide contraceptive supplies and services is a critical part of supporting increased access to care, the Board defers to the State's Insurance Commissioner with respect to highlighting any issues related to the specific amendments to the Hawaii Insurance Code being proposed in this measure.

Thank you for the opportunity to present written testimony in support of Senate Bill No. 513, S.D. 1.



DAVID Y. IGE

SHAN S. TSUTSUI LT. GOVERNOR STATE OF HAWAII OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

> 335 MERCHANT STREET, ROOM 310 P.O. Box 541 HONOLULU, HAWAII 96809 Phone Number: 586-2850 Fax Number: 586-2856 www.hawaii.gov/dcca

CATHERINE P. AWAKUNI COLÓN DIRECTOR

JO ANN M. UCHIDA TAKEUCHI DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE Regular Session of 2017

Tuesday, March 14, 2017 8:30 am

TESTIMONY ON SENATE BILL NO. 513, S.D. 1 – RELATING TO CONTRACEPTIVE SUPPLIES.

TO THE HONORABLE DELLA AU BELATTI, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"), offering comments limited to sections 3 and 4 of this bill.

The purpose of this bill is to authorize pharmacists to prescribe and dispense certain contraceptives. The Department opposes sections 3 and 4 of this bill and submits the following comments.

The Department supports healthcare professionals receiving reimbursement for contracted services performed within the scope of their licenses. The Department would defer, in this regard, to the comments of the Board of Pharmacy with respect to whether this measure is an appropriate way to expand access to health care treatment in this State. However, the Department is concerned with the provisions of this measure that would codify contractually negotiated reimbursement mandates in statute.

Sections 3 and 4 of this bill amend the Hawaii Insurance Code in Hawaii Revised Statutes sections 431:10A-116.6 and 432:1-604 to mandate that health insurers provide

Senate Bill No. 513, S.D. 1 DCCA Testimony of Gordon Ito Page 2

"reimbursement" to pharmacists who prescribe and dispense contraceptives under the authority created by section 1 of the bill. Given that sections 3 and 4 effectively require the enforcement of mandated reimbursement provisions by the Department's Insurance Division ("Division"), the Department is concerned that this would require the Division to have to settle contract disputes between insurers and pharmacists that are otherwise private/business rights of action. Thus, the Department is concerned about the expansion of the Division's scope included here to oversee contract provisions between insurers and pharmacists.

Furthermore, the coverage mandate created in sections 3 and 4 is specifically tied to the expansion in the practice of pharmacy created by section 1 of the bill. Creating such a mandate is confusing and may be interpreted to indicate that each time there is an expansion in the scope of a regulated profession that receives compensation from health insurers, that there must be a corresponding amendment to insurance statutes to guarantee payment for that specific expansion.

For the aforementioned reasons, we respectfully request that the Committee strike sections 3 and 4 of the bill.

Additionally, any proposed mandated health insurance coverage requires the passage of a concurrent resolution requesting the State Auditor to prepare and submit a report assessing the social and financial impacts of the proposed mandate, pursuant to Hawaii Revised Statutes section 23-51.

We thank the Committee for the opportunity to present testimony on this matter and ask for your favorable consideration.



UNIVERSITY OF HAWAI'I SYSTEM

Legislative Testimony

Testimony Presented Before the House Committee on Health Tuesday, March 14, 2017 at 8:30 a.m. by Carolyn Ma, PharmD, BCOP DEAN UH Hilo – Daniel K. Inouye College of Pharmacy (DKICP)

SB 513 SD1 – RELATING TO CONTRACEPTIVE SUPPLIES

Chair Belatti, Vice Chair Kobayashi, and members of the Health Committee:

My name is Carolyn Ma, I am the Dean for the Daniel K. Inouye College of Pharmacy (DKICP). The college fully supports this bill that will authorize pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients.

In relation to this bill, all U.S. accredited colleges of pharmacy more than adequately prepare student pharmacists in courses related to this area of pharmacology and therapeutic practice. Courses in contraceptive and hormonal pharmacology, reproductive physiology, and women's health are taught in the 3rd professional year. Education is provided throughout the four year professional curriculum on medication assessment and therapeutic recommendations via related laboratory tests and subjective/objective findings related to disease and drug therapy. Experiential clinical rotations in ambulatory care clinics and in community pharmacies also provide practical experience for student pharmacists so they are well prepared for this component of reproductive health practice in their careers.

The DKICP has held discussions with the Oregon State University School of Pharmacy who provide a certification course in order for pharmacists to provide this service. Both schools are willing to partner in order to provide this certification course for Hawai'i licensed pharmacists. Two approved providers in Hawai'i, the DKICP and Hawai'i Pacific Health may offer ACPE accredited program and fulfill the required continuing education units outlined in the proposed bill.

Thank you for the opportunity to testify on SB 513 SD1.

By Camlyn Masuda, PharmD, CDE, BCACP Assistant Professor, Pharmacy Practice Department, UH Hilo Daniel K Inouye College of Pharmacy <u>camlynm@hawaii.edu</u> ph. 528-4002

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

I am writing to offer **strong support** of HB 513 that will allow pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients.

Pharmacists are trained specifically in medication management, monitoring and assessment specifically in areas of contraceptive hormonal therapy and women's health. Pharmacists are the most accessible health professional to the public via their availability in community pharmacies and are also health educators and advocate for their patient's health and safety.



To:	Hawaii State House of Representatives Committee on Health
Hearing Date/Time:	Tuesday, Mar. 14, 2017, 8:30 a.m.
Place:	Hawaii State Capitol, Rm. 329
Re:	Testimony of Planned Parenthood Votes Northwest and Hawaii with comments to
	S.B. 513, SD1, relating to Contraceptive Supplies

Dear Chair Belatti and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii ("PPVNH") writes with comments to S.B. 513, SD1, which seeks to authorize pharmacists to prescribe certain forms of birth control to patients.

We fully appreciate the interest in expanding access to birth control, but we have some significant concerns about the bill as currently written. We want to make sure that any bill that appears to increase access to birth control will actually do so. Reports from California and Oregon, where similar laws are in effect, indicate that there are still issues that need to be worked out to ensure that increased access to birth control isn't obtained at the expense of women's health.¹

We want to be sure that women will still receive comprehensive and accurate information about the full range of contraceptive options, including methods that will still not be available at the pharmacy even with this bill, such as long action reversible contraceptives (LARCs). Additionally, detailed referral information should be available if patients express interest in other methods, including information on whether providers are covered by a patient's insurance. Confidentiality concerns over receiving counseling or birth control information at a pharmacy must also be addressed.

While pharmacists are experts in their field, they are asked to do a lot for patients, so it's worth consulting with pharmacists as to whether many pharmacists would have the time to add these areas of education and counseling to their work with patients, beyond those who already seek (or could seek) the opportunity to do so with a collaborative practice agreement.

This bill calls for the completion of a "program approved by the board related to prescribing contraceptive supplies." We are concerned that this does not provide enough detail to ensure that pharmacists receive comprehensive training about contraceptive counseling on the full range of birth control methods, such as long-acting reversible contraception and injectable contraception, and on other important information about STI treatment and routine women's health services.

When looking at this wide range of concerns as well as the opportunity to learn from other states, it seems that this bill may not be quite ready for action, as many changes are needed to ensure that it meaningfully increases access to the full range of contraceptive methods.

Thank you for this opportunity to testify.

¹ See e.g., *Women in California can legally get birth control without a prescription. But for many, it's a struggle*, Soumya Karlamangla, Los Angeles Times (Oct. 31, 2016), available at <u>http://www.latimes.com/local/la-me-ln-pharmacy-contraception-20161026-story.html</u>.

Sincerely, Laurie Field Hawaii Legislative Director and Public Affairs Manager

SanHi Government Strategies

Gary M. Slovin Mihoko E. Ito R. Brian Tsujimura a limited liability law partnership c/o Ashford & Wriston • 999 Bishop Street, Suite 1400 Honolulu, Hawaii 96813 (808) 539-0400 governmentaffairs@awlaw.com

gslovin@awlaw.com mito@awlaw.com rtsujimura@awlaw.com

DATE: March 13, 2017

TO: Representative Della Belatti Chair, Committee on Health Submitted Via Capitol Website

RE: S.B. 513, S.D.1 – Relating to Contraceptive Supplies Hearing Date: Tuesday, March 14, 2017 at 8:30 a.m. Conference Room: 329

Dear Chair Belatti and Members of the Committee on Health:

We submit this testimony on behalf of Walgreen Co. ("Walgreens"). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 20 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens **supports** S.B. 513, S.D.1, which authorizes pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies, and specifies requirements pharmacists must meet prior to prescribing and dispensing contraceptive supplies.

Hawaii faces a growing primary care provider shortage, particularly in rural areas. Pharmacists are the very accessible healthcare providers, due to their location and hours, and are in a unique position to alleviate this shortage by practicing at the height of their profession. Pharmacists have training in the area of comprehensive contraception counseling, and are also trained to ensure that the selection of contraceptives is safe, effective, and that patients will not have adverse drug interactions.

Oregon and California recently passed laws that allow pharmacists to prescribe hormonal contraceptives to patients without seeing a doctor. We believe that increasing a woman's access to hormonal contraceptives, similar to these other states, will help to improve public health in Hawaii.

Gary M. Slovin Mihoko E. Ito R. Brian Tsujimura C. Mike Kido Tiffany N. Yajima Matthew W. Tsujimura Page 2

We would note that the S.D.1 of the measure clarifies that pharmacists are eligible for reimbursement under the Insurance Code and hospital or medical service plan contracts issued by mutual benefit societies for prescribing and dispensing contraceptive supplies. In addition, the S.D.1 removes the requirement that a patient show proof of a clinical visit for women's health within three years following the initial prescription and dispensation of contraceptive supplies by a pharmacist. Walgreens supports these clarifying amendments and respectfully asks this committee to pass the measure.

Thank you for the opportunity to submit testimony in support of this measure.



March 14, 2017

The Honorable Della Au Belatti, Chair The Honorable Bertrand Kobayashi, Vice Chair House Committee on Health

Re: SB 513, SD1 – Relating to Contraceptive Supplies

Dear Chair Belatti, Vice Chair Kobayashi, and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to offer testimony on SB 513, SD1 which would authorize pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients, regardless of a previous prescription from an authorized prescriber, and specifies requirements pharmacists must meet prior to prescribing and dispensing contraceptive supplies.

HMSA supports the intent of SB 513, SD1 and last year worked closely with the stakeholders involved to reach consensus on areas of concern that existed in previous drafts of a similar bill. We would note, however, that unlike previous versions of the Bill, there is no explicitly referenced age requirement or restrictions associated with the prescription.

Both Oregon and California have enacted similar legislation and may provide examples of how best to implement such a program and ensure there is a focus on medical necessity, safety, and proper oversight.

Thank you for the opportunity to provide comments on SB 513, SD1.

Sincerely,

Mar & Oto

Mark K. Oto Director, Government Relations.

From:	mailinglist@capitol.hawaii.gov
To:	<u>HLTtestimony</u>
Cc:	hawaiipharm@gmail.com
Subject:	Submitted testimony for SB513 on Mar 14, 2017 08:30AM
Date:	Monday, March 13, 2017 3:47:40 PM

<u>SB513</u>

Submitted on: 3/13/2017 Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Hiromi Saito	Individual	Support	No

Comments: My name is Hiromi Saito, RPh, President of the Hawaii Pharmacists Association (HPhA). HPhA strongly supports this bill that will increase access to prescription contraceptive supplies and decrease barriers for women in the State of Hawaii. Pharmacists are medication therapy experts who have knowledge of medication conditions which are one of the important factors to determine which methods to furnish the contraceptives. With the described requirements and completion of training in this bill, pharmacists are the best professional in terms expanding the access to the patients. Pharmacists also educate and emphasize how to use the contraceptives correctly and have individuals information of other medications to evaluate the drug interactions. Pharmacists increase the access to the contraceptive safely and effectively with those reasons, which has been already proved by the other states pharmacists, such as Oregon or California. HPhA supports SB 513 SD1 for these reasons. Thank you for your time. Hiromi Saito, RPH, BCACP President Hawaii Pharmacists Association PO Box 22954

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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kobayashi1- Oshiro

From:	mailinglist@capitol.hawaii.gov
Sent:	Friday, March 10, 2017 10:59 PM
To:	HLTtestimony
Cc:	rontthi@gmail.com
Subject:	*Submitted testimony for SB513 on Mar 14, 2017 08:30AM*
Categories:	Red Category

<u>SB513</u>

Submitted on: 3/10/2017 Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Taniguchi, Pharm.D.	Individual	Support	No

Comments:

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By Athena Borhauer

SB 513, SD1 - Relating to Contraceptive Supplies

The Honorable: Chair Belatti, Vice Chair Kobayashi and Members of the committee:

I am writing to offer **strong support** of SB 513, SD1 that will allow pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients.

Pharmacists are trained specifically in medication management, monitoring and assessment specifically in areas of contraceptive hormonal therapy and women's health. Pharmacists are the most accessible health professional to the public via their availability in community pharmacies and are also health educators and advocate for their patient's health and safety.

kobayashi2 - Jessi

From:	mailinglist@capitol.hawaii.gov
Sent:	Sunday, March 12, 2017 8:06 AM
To:	HLTtestimony
Cc:	rkorph@gmail.com
Subject:	Submitted testimony for SB513 on Mar 14, 2017 08:30AM

<u>SB513</u>

Submitted on: 3/12/2017 Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Okamura, PharmD	Individual	Support	Yes

Comments: The American Congress of Obstetricians and Gynecologist (ACOG) have issued a formal statement that self administered hormonal contraception should be made more accessible because the benefit of preventing unintended pregnancies by improving access outweighs the small risk associated with serious events. SD513, SD! authorizes pharmacist to provide hormonal contraception directly to women and will improve access now. With the Doctor of Pharmacy education, training and ACPE Credentials, the pharmacists are competent to provide hormonal contraception directly.

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By George H. Karvas

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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By: Jennifer Nguyen

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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By Wilson Datario

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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From:	mailinglist@capitol.hawaii.gov
To:	HLTtestimony
Cc:	KERI.OYADOMARI@GMAIL.COM
Subject:	*Submitted testimony for SB514 on Mar 14, 2017 08:30AM*
Date:	Monday, March 13, 2017 12:07:13 PM

<u>SB514</u>

Submitted on: 3/13/2017 Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Keri Oyadomari	Individual	Support	No

Comments:

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By Chad Kawakami

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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Pharmacists are trained specifically in medication management, monitoring and assessment specifically in areas of contraceptive hormonal therapy and women's health. Pharmacists are the most accessible health professional to the public via their availability in community pharmacies and are also health educators and advocate for their patient's health and safety.

Thank you for allowing me to testify.

DocuSigned by: Rad K Kowalcon

3/13/2017

March 13, 2017 SB513

Dear Members of the Committee,

My name is Derek Tengan and I am pharmacist in Hawaii. I am writing to support SB513. I believe that pharmacists have the education necessary to make a clinical decision regarding prescribing and dispensing of hormonal contraceptives to patients. Pharmacists will increase the access to this type of healthcare making contraceptives more accessible to women. They are trained and educated on the pharmacology of these medications and possess the necessary critical thinking to make sound clinical decisions.

Thank you for the opportunity to testify.

Sincerely, Derek Tengan

Wesley Sumida, Pharmacist

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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By Patricia Jusczak

SB 513 - Relating to Contraceptive Supplies

TO THE HONORABLE: Della Au Belatti (Chair) Bertrand Kobayashi, Vice Chair and members of the Health Committee:

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kobayashi1- Oshiro

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, March 13, 2017 3:48 PM
To:	HLTtestimony
Cc:	hawaiipharm@gmail.com
Subject:	Submitted testimony for SB513 on Mar 14, 2017 08:30AM

<u>SB513</u>

Submitted on: 3/13/2017 Testimony for HLT on Mar 14, 2017 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Hiromi Saito	Individual	Support	No

Comments: My name is Hiromi Saito, RPh, President of the Hawaii Pharmacists Association (HPhA). HPhA strongly supports this bill that will increase access to prescription contraceptive supplies and decrease barriers for women in the State of Hawaii. Pharmacists are medication therapy experts who have knowledge of medication conditions which are one of the important factors to determine which methods to furnish the contraceptives. With the described requirements and completion of training in this bill, pharmacists are the best professional in terms expanding the access to the patients. Pharmacists also educate and emphasize how to use the contraceptives correctly and have individuals information of other medications to evaluate the drug interactions. Pharmacists increase the access to the contraceptive safely and effectively with those reasons, which has been already proved by the other states pharmacists, such as Oregon or California. HPhA supports SB 513 SD1 for these reasons. Thank you for your time. Hiromi Saito, RPH, BCACP President Hawaii Pharmacists Association PO Box 22954

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American Congress of Obstetricians and Gynecologists District VIII, Hawaii (Guam & American Samoa) Section Greigh Hirata, MD, FACOG, Chair

То:	Committee on Health Rep. Della Au Belatti, Chair Rep. Bertrand Kobayashi, Vice Chair	
DATE:	Tuesday, March 14, 2017 (0830)	

FROM: Hawaii Section, ACOG Dr. Greigh Hirata, MD, FACOG, Chair Dr. Jennifer Salcedo, MD, MPH, MPP, FACOG, Vice-Chair Lauren Zirbel, Community and Government Relations

Statement of the Hawaii Section of the American Congress of Obstetricians and Gynecologists SB 513: OPPOSE

The Hawaii Section of the American Congress of Obstetricians and Gynecologists (HI ACOG) supports over-the-counter access to oral contraceptive pills and opposes SB 513 and other legislative proposals that take only intermediate steps toward such access. As a Section of the Nation's leading group of physicians dedicated to improving health care for women, HI ACOG represents more than 200 obstetrician/gynecologist physicians in our state.

Over-the-Counter Access to Oral Contraceptive Pills

- Women are able to appropriately self-screen for contraindications to combined oral contraceptive pills, the most commonly used short-term hormonal contraceptive method.
- The provision of other preventive health services, such as cervical cancer screening and sexually transmitted infection testing is not medically required to initiate or continue hormonal contraception.
- Payment for pharmacist services by insurance companies and inappropriate pharmacist refusal to provide hormonal contraception may present additional access barriers to hormonal contraception.

For these reasons, **HI ACOG supports over-the-counter access to oral contraceptive pills and is unable to support intermediate steps toward such access, such as SB 513**. We stand ready to provide you with factual information on medical issues that come before the Legislature, and hope you will contact us at any time.

Over-the-counter access to oral contraceptives. Committee Opinion No. 544. American College of Obstetricians and Gynecologists. Obstet Gynecol 2012: 120;1527-31.



Testimony Presented Before the Senate Committee On Commerce, Consumer Protection and Health (CCPH) Friday, Feb. 24, 2017 at 9:30 am

By Irene Kao

SB 513 - Relating to Contraceptive Supplies

The Honorable: Chair Baker, Vice Chair Nishihara and Members of the committee:

I am writing to offer **strong support** of HB 513 that will allow pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to patients.

As a young woman, I have experienced first hand how difficult it can be to obtain contraceptive supplies. During those times if I could have turned to my local pharmacist to get my contraceptive supplies, I would have saved a lot of money, time, and stress.

As a pharmacy student, I believe that pharmacists are more than apt to be able to prescribe and dispense self-administered hormonal contraceptives to patients. Pharmacists are trained specifically in medication management, monitoring and assessment specifically in areas of contraceptive hormonal therapy and women's health. Pharmacists are also the most accessible health professional to the public via their availability in community pharmacies and are also health educators and advocate for their patient's health and safety. By allowing pharmacists to take on this role, we can help many underserved women who may not have the means to obtain contraception supply through the traditional means, receive the healthcare that they have a right too.