

STRONGER TOGETHER

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February 3, 2014

State Representative Ryan Smith  
Ohio House of Representatives, District 93  
77 S. High St., 13th Floor  
Columbus, OH 43215

Dear Representative Smith:

The Epilepsy Foundation is writing to respectfully ask the legislature to consider an amendment that exempts anti-epilepsy drugs (AEDs) from the state's prescription drug monitoring program. The Epilepsy Foundation, through our two Ohio affiliates (Epilepsy Foundation of Greater Cincinnati and Columbus and Epilepsy Foundation of Western Ohio) represents Ohio residents living with epilepsy and seizures and their families. We strongly believe that the current inclusion of Schedule V anti-epilepsy drugs in the state's drug monitoring program, as well as the sample limits, endangers the health of epilepsy patients by creating unnecessary access barriers to physician directed care.

The Epilepsy Foundation urges you to amend HB 341 to improve access to anti-epilepsy drugs, and prevent unintended consequences by:

- **Exempting all Schedule V anti-epilepsy drugs from the Ohio Automated Rx Reporting System (OARRS) prescription drug monitoring program; and**
- **Exempting individual samples, prepackaged by manufacturers, from the 72-hour limitation on what a physician can provide to a patient.**

Epilepsy is a medical condition that produces seizures affecting a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy at some point in their lifetime. As an organization that assists Ohio residents living with epilepsy, their families, and caregivers, we are on the front lines and have an opportunity to see, every day, how important it is that patients gain and maintain access to medical care, including anti-epilepsy drugs, and receive guidance for programs and services that can help them manage their condition, maintain seizure control and stay healthy. We believe that the individual patient is central to therapeutic decisions and that the physician should be the final arbiter of what is appropriate medication and what is deemed clinically significant for a patient.

When the Ohio legislature created the state's drug monitoring program, it was not intended to be a barrier to physician directed prescription drug sampling, which is an important mechanism for physicians to see whether or not a prescription is an effective treatment for a specific patient. Medication samples provided under a physician's direction can be critical as individuals gain access to effective coverage of the physician directed care. Some anti-epilepsy medications require a sampling period longer than 72 hours to determine efficacy, and samples also play a critical role in ensuring access to treatment for newly diagnosed patients and those transitioning to a new health insurance plan.

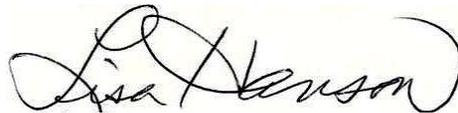
The current prescription drug monitoring program is intended to curb abuse of prescription pain medications. We are not aware of any research to suggest people with epilepsy abuse their epilepsy prescription medication. The Epilepsy Foundation strongly believes it is unnecessary, costly, and dangerous to restrict and monitor access to samples and drugs for epilepsy patients. Exempting Schedule V drugs or, at a minimum, exempting anti-epilepsy drugs prescribed to people with epilepsy and allowing physicians to provide patients samples is a simple way to ensure access and privacy while still addressing the prescription drug abuse via the monitoring program.

**The Epilepsy Foundation and the epilepsy community of Ohio urge the legislature to support a legislative solution that exempts Schedule V medications from the OARRS prescription drug monitoring program and removes any restrictions on the sampling of anti-epilepsy drugs from the 72-hour provisions to restore and protect access to medications for individuals living with epilepsy.** We would be happy to discuss this issue with you. Please feel free to contact Angela Ostrom, Senior Vice President of Public Policy and Advocacy, at [aostrom@efa.org](mailto:aostrom@efa.org) with any questions or follow-up.

Sincerely,



Kathy Schrag  
Executive Director  
Epilepsy Foundation of Greater Cincinnati  
and Columbus



Lisa Hanson  
Executive Director  
Epilepsy Foundation of Western Ohio



Philip M. Gattone, M.Ed.  
President & CEO  
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