

Feb. 7, 2019

Dear Chair Monnes Anderson, Vice-Chair Linthicum and Members of the Senate Health Care Committee,

Kevin Houdeshell's Story

On New Years Eve 2013, Kevin, our 36 year old son stopped at his pharmacy on his way to work to refill his insulin prescription. He was told that his insulin prescription was expired and he needed to contact his doctor. Kevin tried to call his doctor's office that afternoon and the phone message would tell him to stay on the line which would be answered shortly. After 20 minutes on hold, it would cut him off. This happened over and over for 3 days. His co-workers told us Kevin would come to work and set his phone on the counter on speaker waiting for an answer. One evening he developed stomach flu like symptoms so bad that his mgr sent him home. Kevin lived alone and was texting his friends and co-workers that he was REALLY sick and not to come over. Soon his texting became extremely slurred and then ended. When he didn't show up for work on Jan. 8, 2014, his long time bartending partner called her husband to go check on Kevin. Kurt found Kevin on his kitchen floor with the patio door cracked open and the cold and snow blowing over him. He lived alone and he died alone.

The Coroner ruled his death by Diabetic Ketoacidosis (DKA). We believe many death certificates say this but death was due to the inability to get access to insulin. Diabetic Ketoacidosis (DKA) is the shutting down of your organs from lack of insulin. This process begins when your body begins to burn fat and the byproduct acids called ketones build up in your blood. Without insulin your body doesn't process sugar and carbs properly and your glucose levels skyrocket. Kevin spent 3 days trying unsuccessfully to contact his doctor and a few days more before he died. One of the effects of DKA is the loss of being able to think and rationalize. He did not have the flu, he was dying. He didn't know he was in DKA - he thought he had the flu. His brain was shutting down, and all his major organs as well - his liver, his kidneys, his heart. Then his life ended.

We had months of frustration and research and sleepless nights followed by trying to understand how this could happen. It just did not make sense. We finally found that the state law had a fatal issue. States have emergency prescription laws but because of the packaging of some medications and the possibility of pharmacists jeopardizing their licenses attempting to help their patients, there was a huge loophole. Insulin is just one of those medications in that category. We approached our state legislators in Oct. 2014 and on December 22, 2015 Ohio passed the first such law updating the guidelines for Emergency Prescription Refills with House Bill 188 which is now referred to across the country as **“Kevin's Law”!**

In the past 3 and a half years approximately 15 states have followed suit and 5 or 6 states have filed similar bills in 2019. Many articles and TV reports have focused on Kevin's story and Kevin's Law. To our knowledge there has been absolutely no opposition and have been approved 100% across party lines.

We always felt Kevin's Law did not go far enough by restricting the refills to one a year, but we didn't know how to address it since it was imperative to get this passed quickly and help those being turned away at the pharmacy to prevent another death. We always felt someone would realize the importance and the need to take it to the next level. It seems Oregon is that state.

Senators Courtney and Linthicum are to be commended for drafting this legislation. The diabetes community is paying attention to what happens in Oregon. While we do not understand all of the issues within SB 9 certainly insulin availability and devices and supplies stand out.

We hope that this process allows for the expediency required to serve people in dire need. Their health and lives depend on it. We have chosen to keep Kevin's words in our hearts and are trying to fulfill their meaning. "Try to make something positive from your tragedies, struggles, and difficulties. We are all capable of making that choice and incredible things will happen."

Appreciatively,

Dan and Judy Houdeshell and family