



February 28, 2024

Senator Deb Patterson, Chair
Senate Committee on Health Care
Oregon State Capitol
Salem, OR

Re: Support for House Bill 4010A, Section 2

Chair Patterson and Members of the Senate Health Committee,

For the record, my name is Chad Baker. I am the Senior Vice President of Government Relations at FLAVOR Rx. I am here today to testify in favor of section 2 of House Bill 4010A. FLAVOR Rx supplies over 300 pharmacies in Oregon, and an additional 37,000 pharmacies across the country, with medication flavoring systems to improve palatability and adherence to children's medications like amoxicillin, Tamiflu, and clindamycin.

I appreciate the opportunity to address this committee in support of Section 2 of HB 4010A, which will allow pharmacies in Oregon to continue the practice of flavoring children's medications without unnecessary and overreaching regulation.

Pharmacists in Oregon have been flavoring children's medications for decades. Flavoring is one of the most effective tools pharmacists have at their disposal to help children take their medicine. Mary Poppins almost got it right when she said, "just a spoonful of sugar helps the medicine go down". In this case, Oregon's pharmacists are adding sugar-free, dye-free, inert flavorings to help the medicine go down.

As I mentioned earlier, over 300 pharmacies in Oregon provide flavoring to their patients. Those pharmacies have flavored, by our estimation, roughly 2 million children's medications over the past two decades. There have been zero reported cases of harm in those 20+ years. The flavors Oregon's pharmacists use are safe, inert, and tested to ensure that the only impact flavorings have on medications is to improve their taste.

The need for section 2 in House Bill 4010A comes from a change in Oregon pharmacy regulations as a result of the adoption of the newest USP standard. USP – known as the United States Pharmacopeia – is a nonprofit organization that sets pharmacy standards. These are voluntary, and not required as part of federal or state law. USP holds an academic view that any changes to drugs, including flavoring, should be treated as compounding which requires a complex set of regulations to implement. It's a perspective that fails to account for the real-world impact to pharmacies and the patients they serve.

Most states have adopted language similar to that found in HB 4010A. You can find a map on OLIS that shows where each state currently falls on this topic. Only California and Washington subject flavoring to USP level compounding regulations. California, being the most recent to change their policy towards flavoring in November of last year, has been an unmitigated disaster. They went from 3,000 pharmacies providing flavoring to patients in California to less than 50 overnight, a 99% decline in access to this trusted pharmacy service. If the same were to happen in Oregon, those 300 pharmacies that provide flavoring now would dwindle down to 3 or less. Access to a service that so many parents in Oregon have come to rely on to help their children get better would be completely wiped out without the provision found here in HB 4010A. That is why I urge you to support its passage.

Thank you for your time. I'm happy to answer any questions you may have.

A handwritten signature in black ink, appearing to read 'Chad Baker', followed by a long horizontal line extending to the right.

Chad Baker
Senior Vice President, Government Relations
FLAVORx, Inc.