



Smilin' Steve Pharmacies

HIGH MOUNTAIN HOME CARE LTC PHARMACY

RUTLAND - SPRINGFIELD - LUDLOW - RIVER STREET - OTTAUQUECHEE PHARMACIES

March 21, 2022

Representative Ann Pugh
Chair of House Human Services Committee
115 State Street
Montpelier, VT 05633

Dear Representative Pugh and Members of the House Human Services Committee,

On behalf of Vermont's *Smilin' Steve Pharmacies*, I am writing regarding Senate Bill 74, related to the immunity provision of Act 39. Together with my sons Jason and Jeffrey Hochberg, our pharmacy has worked with the patients who choose to use Act 39 for over three years. We have witnessed the suffering of patients at the end of their lives, and have heard gratitude from patients and families when we provide a means to end that suffering.

We believe that Act 39 is helping to improve the quality of end-of-life care through personal choice. However, the anticipated end-of-life is difficult for an individual to bear, and the Act 39 limitations add to that stressful situation.

The current text of Act 39 limits participation by Registered Pharmacists, which necessitates that the prescribing physician must sign an indemnity agreement in all cases. The result is that fewer physicians are willing to prescribe aid in dying to their patients and fewer pharmacists are willing to be involved.

When we receive an Act 39 call, we must have the physician and the patient sign an indemnity agreement before we can move forward. This delay adds a level of stress to an already stressed situation. When the pharmacy receives the indemnity agreement, we call the patient to discuss the details of the prescription and arrange for me to deliver their medication. I do this personally; I do not mail the medication. Instead, I travel the State to hand-deliver the medication and meet with the family and the patients. I spend time with the patient and the family to thoroughly review the medication, the instructions and answer any questions. This duty requires knowledge, compassion, caring, and support.

Supporting an individual who chooses to utilize Act 39 requires a healthcare team approach between the doctor, nurses, pharmacists, and families. All the participants in this healthcare team need to be protected and supported by the State of Vermont. Currently, only physicians enjoy that protection and support.

Passing S. 74 would remove the need for the indemnity agreement. It would allow more healthcare professionals to serve their patient's end-of-life care needs. The focus should be on meeting the patients' needs at this time, and it is not the time to be concerned about personal liability.

Thank you for your consideration and support of Senate Bill 74, including the correction to the immunity provision of Act 39, which supports Vermonters in the end-of-life care that they choose. If you have any questions, please do not hesitate to reach out to me.

Sincerely,

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