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September 20, 2007

Edward J. Bechtel, R.Ph., Chair
Pennsylvania State Board of Pharmacy
c/o Melanie Zimmerman
Executive Secretary
State Board of Pharmacy
P. O. Box 2649
Harrisburg, PA 17105-2649

INDEPENDENT REGULATORY
REVIEW COMMISSION

Re: Proposed Rulemaking, Sale of Hypodermic Needles and Syringes

Dear Mr. Bechtel/Members of the Board:

It is a pleasure to have the opportunity to offer comment on the proposed deregulation of syringe sales as published in the Pennsylvania Bulletin on August 24.

As the Director of the Pennsylvania Coalition of AIDS Service Organizations (PCASO), I served as one of the lead advocates working to secure deregulation in your previous deliberation on this matter, and I could not agree more that there is a compelling state and public health interest in the deregulation of sales. Though no longer working for PCASO, I can also assure you that the entire social service and clinical care network working with Pennsylvanians living with HIV/AIDS is supportive of such a change and sees it as an invaluable public health measure certain to save lives.

While the proposed age restriction and limit of 30 syringes per sale seems arbitrary from a public health perspective and are not elements I would logically support, I do not see any significant deterrent to injecting drug users at such a sale limit. Further, though minors can and do use syringes for both licit and illicit purposes, I understand the Board's rationale for such a restriction and could live with it, if necessary, but I do not think placing appearances over the public health is a decision in the interest of these groups.

I urge the Board and ultimately, the Independent Regulatory Review Commission, to work in haste to change this regulation and permit over the counter sales of syringes. By doing so, you will prevent the needless transmission of HIV, Hepatitis C and other pathogens ravaging entire strata of our society.

My thanks to you and your fellow Board members for your willingness to take on this critical issue.

Sincerely,


Bruce Flannery