



July 25, 2012

New York State Education Department
State Board of Pharmacy
89 Washington Avenue
Albany, New York 12234

Dear Mr. Mokhiber and Members of the NY State Board of Pharmacy:

Enclosed, please find a copy of a report listing our recommendations for the implementation of the pharmacy language access and label standardization legislation "SafeRx". As you know, our organizations, including Make the Road New York, Center for Popular Democracy and New York Lawyers for the Public Interest, advocated for passage of SafeRx and have a long history of representing patients who have difficulty using prescription medications safely and effectively due to language barriers, disability, or age-related cognitive and visual impairments. The recommendations in our report are based on medical literature and best practices for making prescription medication instructions more patient-centered. We strongly urge you to incorporate our recommendations as you draft SafeRx regulations.

In addition to writing to you to share our recommendations, we are also writing to express our concern about the very limited opportunities for advocate and consumer input within the implementation process. As of now, there is no formal public hearing scheduled. There appears to be only one informal meeting that will take place in Buffalo after the Board of Pharmacy has produced draft regulations. This meeting is an insufficient means of ensuring that stakeholders from around the state have a meaningful opportunity to participate. Hosting only one informal session limits the number of stakeholders who can be involved in the process - particularly those who cannot travel to Buffalo.

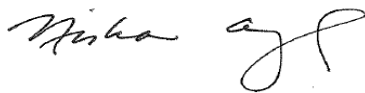
Therefore, we strongly encourage you to hold formal public hearings across New York, including Albany or New York City. If the Board of Pharmacy holds an information session, at the very least, we strongly urge you to hold sessions in Albany or New York City, and provide for a public record of input. The issue of language access in pharmacies is, quite literally, a matter of life and death for the communities we represent and makes involvement in this process critically important.

We enthusiastically welcome the opportunity to discuss our recommendations with you and address additional concerns, including those raised by Board members at the May 9, 2012 Board of Pharmacy meeting. Thank you for your consideration.

Sincerely,



Theo Oshiro
Deputy Director, Make the Road New York



Nisha Agarwal
Deputy Director, Center for Popular Democracy



Shena Elrington
Director, New York Lawyers for the Public Interest Health Justice Program



Jennifer Swayne
Staff Attorney, New York Lawyers for the Public Interest Health Justice Program

Cc: Commissioner Nirav Shah
Valarie Grey
James Introne
Donna Frescatore
Alphonso David
Assembly Member Richard Gottfried
Greg Olsen