

**Enrolled**  
**Senate Bill 841**

Sponsored by Senators BATES, STEINER HAYWARD, KRUSE; Senators MONNES ANDERSON, SHIELDS

CHAPTER .....

AN ACT

Relating to prescription drug refills; creating new provisions; and amending sections 2 and 4, chapter 25, Oregon Laws 2014.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** Section 2, chapter 25, Oregon Laws 2014, is amended to read:

**Sec. 2.** (1) As used in this section:

(a) "Health plan" means:

(A) A "health benefit plan" as defined in ORS 743.730; and

(B) A self-insured health plan offered by the Public Employees' Benefit Board, the Oregon Educators Benefit Board or the Oregon Health and Science University.

(b) "Synchronization policy" means a procedure for aligning the refill dates of a patient's prescription drugs so that drugs that are refilled at the same frequency may be refilled concurrently.

(2) A health plan that includes prescription drug coverage *[must]* **shall** implement a synchronization policy for the dispensing of prescription drugs to the plan's enrollees.

**(3) A health plan shall reimburse the cost of prescription drugs dispensed in accordance with the plan's synchronization policy.**

**(4) If a drug is dispensed in less than a 30-day supply for the purpose of synchronizing a patient's prescription drug refills, a health plan shall:**

(a) Prorate the copayment; or

(b) Adjust the copayment using a method approved by the Department of Consumer and Business Services.

**(5) A health plan shall fully reimburse the dispensing fee for partially filled or refilled prescription drugs.**

**(6) This section does not apply to prescription drugs that:**

(a) Are in unit-of-use packaging for which synchronization is not possible;

(b) Are controlled substances; or

(c) Have been identified by the United States Drug Enforcement Administration as having a high risk of diversion.

**(7) The coverage required by this section may be limited by formulary restrictions applied to a prescription drug by a health plan.**

**(8)(a) This section does not apply to a prepaid group practice health plan with at least 200,000 enrollees in this state.**

**(b) As used in this subsection, "prepaid group practice health plan" means a health care service contractor that provides physician services to its enrollees through an integrated**

health care delivery system using, primarily, a single group of physicians contracted on a prepaid, capitated basis.

**SECTION 2.** Section 4, chapter 25, Oregon Laws 2014, is amended to read:

**Sec. 4.** (1) As used in this section, "synchronization policy" means a procedure for aligning the refill dates of a patient's prescription drugs so that drugs that are refilled at the same frequency may be refilled concurrently.

(2) Each coordinated care organization [must] shall implement a synchronization policy for the dispensing of prescription drugs to members of the organization.

(3) The Oregon Health Authority shall implement a synchronization policy for the dispensing of prescription drugs to recipients of medical assistance who are not enrolled in a coordinated care organization.

**SECTION 3.** The amendments to section 2, chapter 25, Oregon Laws 2014, by section 1 of this 2015 Act apply to health plans issued or renewed on or after January 1, 2017.

**SECTION 4.** Notwithstanding any other law limiting expenditures, the amount of \$631,544 is established for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses by the Public Employees' Benefit Board from the Public Employees' Revolving Fund for carrying out the provisions of this 2015 Act.

**SECTION 5.** Notwithstanding any other law limiting expenditures, the amount of \$219,256 is established for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses by the Oregon Educators Benefit Board from the Oregon Educators Revolving Fund for carrying out the provisions of this 2015 Act.

Passed by Senate July 1, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House July 3, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State