



February 4, 2016

The Honorable Mitch Greenlick, Chair, House Committee on Health Care
The Honorable Rob Nosse
Oregon House of Representatives
Salem, Oregon 97301

Re: The Biosimilars Council Support for HB 4105

Dear Representative Greenlick, Representative Nosse, and members of the Committee:

The Biosimilars Council, a division of the Generic Pharmaceutical Association (GPhA), represents manufacturers and distributors of biosimilars and works to ensure a positive regulatory, reimbursement, political and policy environment for biosimilar products. The Biosimilars Council fully supports HB 4105. House bill 4105 amends current pharmacy practice to allow for the automatic substitution of biological products deemed interchangeable by FDA. With the first biosimilar approved in 2015 and seven more currently before FDA, it is critical that states take action. States will need new legislation in place to amend pharmacy practice to allow for substitution of interchangeable biological products.

Numerous other states have passed similar substitution legislation for interchangeable biological products. House bill 4105 relies on electronic records to fulfill the communication requirement and presumes that entry into a record satisfies communication. This means that in an increasing number of pharmacies, nothing else must be done once the product is dispensed. This communication would occur whether an originator biologic *or* an interchangeable biologic is dispensed, providing a level, pro-competitive playing field for all biologics.

Leaders in the generic industry have successfully produced safe and effective biosimilars for sale outside the U.S. since the early 2000s. Although biosimilars and interchangeable biological products are not generics, with proper state legislation in place, the biosimilar and interchangeable biological product market is primed to take off like the generic drug market—creating competition which drives down costs and saves Oregon patients and payors millions.

House bill 4105 reflects compromise language supported by a broad coalition of brand and generic manufacturers, trade associations, and pharmacies. The Biosimilars Council has always supported legislation that treats interchangeable and brand biologics the same, and we fully support HB 4105. The Biosimilars Council applauds this committee and Representative Nosse's commitment to Oregon's access to affordable interchangeable biologics with HB 4105. Thank you so much for your time and consideration on this matter. Please let me know if you have any questions.

Sincerely,

Brynna M. Clark, Esq.
Senior Director of State Affairs
The Biosimilars Council, A Division of GPhA

CC: Representative Knute Buehler
Representative Brian Clem
Representative Cedric Hayden
Representative Bill Kennemer
Representative Alissa Keny-Guyer
Representative John Lively
Representative Jim Weidner
Sandy Thiele-Cirka, Committee Administrator