House Bill 2840

Sponsored by Representative NOBLE, Senator STEINER HAYWARD, Representative NOSSE; Senator LINTHICUM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Establishes prohibitions for registered pharmacy benefit managers.

A BILL FOR AN ACT

Relating to pharmacy benefit managers.

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

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 735.530 to 735.552.

SECTION 2. A pharmacy benefit manager registered under ORS 735.532 may not:

(1) Require an insured to fill or refill prescriptions using a mail-order service.

(2) Prohibit a pharmacist or pharmacy from providing to a patient information regarding the patient's cost share for a prescription drug and, if available, the clinical efficacy of a lower cost alternative drug.

(3) Prohibit a pharmacist or pharmacy from selling an insured a lower cost alternative drug.

(4) Prohibit a pharmacist or pharmacy from offering or providing delivery as an ancillary service.

(5) Charge or collect from an insured a copayment for a drug in an amount that exceeds the reimbursement the pharmacy benefit manager pays to the pharmacist or pharmacy for the drug.

(6) Hold a pharmacist or pharmacy responsible for a fee for the adjudication of a claim for reimbursement.

(7) Recoup from a pharmacist or pharmacy costs associated with claims for which the pharmacist or pharmacy has already been paid, unless otherwise required by law.

(8) Penalize a pharmacist or pharmacy or retaliate against a pharmacist or pharmacy for providing information described in subsection (2) of this section, selling a lower cost alternative drug or offering or providing delivery as described in subsection (4) of this section.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

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