

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4013**

1 On page 1 of the printed bill, line 2, after the first semicolon insert  
2 “creating new provisions;”.

3 After line 3, insert:

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5 **“ELECTRONIC TRANSMISSION OF SCHEDULE II**  
6 **DRUG PRESCRIPTIONS”.**

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8 On page 2, after line 37, insert:

9

10 **“STEP THERAPY**

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12 **“SECTION 3. Section 4 of this 2014 Act is added to and made a part**  
13 **of the Insurance Code.**

14 **“SECTION 4. (1) As used in this section:**

15 **“(a) ‘Health care coverage plan’ includes:**

16 **“(A) A health benefit plan, as defined in ORS 743.730;**

17 **“(B) An insurance policy or certificate covering the cost of pre-**  
18 **scription drugs, hospital expenses, health care services and medical**  
19 **expenses, equipment and supplies;**

20 **“(C) A medical services contract, as defined in ORS 743.801;**

21 **“(D) A multiple employer welfare arrangement, as defined in ORS**  
22 **750.301;**

1       **“(E) A contract or agreement with a health care service contractor,**  
2 **as defined in ORS 750.005, or a preferred provider organization;**

3       **“(F) A pharmacy benefit manager, as defined in ORS 735.530, or**  
4 **other third party administrator that pays prescription drug claims;**  
5 **and**

6       **“(G) An accident insurance policy or any other insurance contract**  
7 **providing reimbursement for the cost of prescription drugs, hospital**  
8 **expenses, health care services and medical expenses, equipment and**  
9 **supplies.**

10       **“(b) ‘Step therapy’ means a drug protocol in which a health care**  
11 **coverage plan will reimburse the cost of a prescribed drug only if the**  
12 **patient has first tried a specified drug or series of drugs.**

13       **“(2) A health care coverage plan that requires step therapy shall**  
14 **make easily accessible to prescribing practitioners, clear explanations**  
15 **of:**

16       **“(a) The clinical criteria for each step therapy protocol;**

17       **“(b) The procedure by which a practitioner may submit to the plan**  
18 **the practitioner’s medical rationale for determining that a particular**  
19 **step therapy protocol is not appropriate for a particular patient based**  
20 **on the patient’s medical condition and history; and**

21       **“(c) The specific documentation, if any, that a practitioner must**  
22 **submit to the plan for the plan to determine the appropriateness of**  
23 **step therapy for the practitioner’s patient.**

24       **SECTION 5. Section 6 of this 2014 Act is added to and made a part**  
25 **of ORS chapter 414.**

26       **SECTION 6. (1) As used in this section, ‘step therapy’ means a drug**  
27 **protocol in which the cost of a prescribed drug is reimbursed only if**  
28 **the patient has first tried a specified drug or series of drugs.**

29       **“(2) A coordinated care organization that requires step therapy**  
30 **shall make easily accessible to any provider who is reimbursed by the**

1 organization, directly or through a risk-bearing entity, to provide  
2 health services to members of the organization, clear explanations of:

3 “(a) The clinical criteria for each step therapy protocol;

4 “(b) The procedure by which a provider may submit to the organ-  
5 ization or risk-bearing entity, the provider’s medical rationale for de-  
6 termining that a particular step therapy protocol is not appropriate for  
7 a particular patient based on the patient’s medical condition and his-  
8 tory; and

9 “(c) The specific documentation, if any, that a provider must sub-  
10 mit to the organization or risk-bearing entity for the organization or  
11 entity to determine the appropriateness of step therapy for the  
12 provider’s patient.

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14

**“UNIT CAPTIONS**

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16 **“SECTION 7. The unit captions used in this 2014 Act are provided**  
17 **only for the convenience of the reader and do not become part of the**  
18 **statutory law of this state or express any legislative intent in the**  
19 **enactment of this 2014 Act.**

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**“OPERATIVE DATE**

22

23 **“SECTION 8. Sections 4 and 6 of this 2014 Act become operative**  
24 **January 1, 2015.**

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**“EMERGENCY CLAUSE”.**

27

In line 38, delete “3” and insert “9”.

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