

SB 698 -1 STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 3/6, 3/11, 4/3, 4/8

WHAT THE MEASURE DOES:

Requires pharmacist or pharmacist intern to label prescription drugs in both English and in a language that the patient can read and understand if patient to whom prescription is dispensed is of limited English proficiency. Defines "limited English proficiency." Requires pharmacist or pharmacist intern to determine whether patient is of limited English proficiency. Requires pharmacies to post a notification of the right to free, competent oral interpretation and translation services for patients who are of limited English proficiency. Requires State Board of Pharmacy to adopt rules. Takes effect on 91st day following adjournment sine die.

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Number of Oregonians with limited English proficiency
- Influence of social determinants of health
- Importance of putting second language on prescription
- Access to, and use of, interpretive services at pharmacy
- Cost of medication errors
- Current translation capabilities of some national pharmacies
- Determination of necessity of second language
- Provisions of California and New York laws

EFFECT OF AMENDMENT:

-1 Requires State Board of Pharmacy (Board) to adopt rules regarding provision of prescription drug labels in both English and a language the patient can understand. Specifies that rules must determine which pharmacies the requirements apply to. Specifies minimum languages labels and informational inserts must be available in. Specifies that rules must establish a list of statements for prescription drug labels that must be available in languages other than English. Limits liability for actions of third parties. Requires the Board to consult with the Oregon Health Authority on rules regarding availability of translation services.

BACKGROUND:

Under Title VI of the Civil Rights Act of 1964, all health care providers and recipients of federal financial assistance, including Medicare and Medicaid, are required to take reasonable steps to ensure meaningful access to their programs by individuals with limited English proficiency. According to the United State Census Bureau's American Community Survey (ACS) 2009-2013, 6.21 percent of Oregonians over five years of age are of limited English proficiency.

Currently, four state have specific laws that require pharmacies to provide services in languages other than English: California, New York, North Carolina, and Texas.

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Senate Bill 698 requires pharmacists to label drugs in a language other than English if the patient to whom the prescription is dispensed is an individual with limited English proficiency.