

SB 698 A STAFF MEASURE SUMMARY**Carrier:** Sen. Monnes Anderson**Senate Committee On Health Care****Action Date:** 04/08/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Beyer, Fagan, Knopp, Linthicum, Monnes Anderson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Brian Nieubuurt, LPRO Analyst**Meeting Dates:** 3/6, 3/11, 4/3, 4/8**WHAT THE MEASURE DOES:**

Requires State Board of Pharmacy (Board) to adopt rules regarding provision of prescription drug labels or inserts in both English and a language the patient can understand. Specifies that rules must determine to which pharmacies the requirements apply. Specifies minimum languages in which labels and informational inserts must be available. 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. Makes labeling requirements effective on January 1, 2021. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Prevalence of limited English proficiency in Oregon
- Influence of social determinants of health
- Access to, and use of, interpretive services at pharmacy
- Cost of medication errors
- Current translation capabilities of some national pharmacies
- Responsibility for determining necessity of second language label
- Provisions of California and New York laws

EFFECT OF AMENDMENT:

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 to which pharmacies the requirements apply. Specifies minimum languages in which labels and informational inserts must be available. 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. Changes effective date of labeling requirements from January 1, 2020 to January 1, 2021.

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 (LEP). 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 LEP. LEP individuals are more likely than fluent English speakers to experience medication errors due to an inability to read or understand labels that provide instruction on how and when to take prescription medications. Currently, four states 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-A requires the State Board of Pharmacy to adopt rules regarding provision of prescription drug labels or inserts in both English and a language the patient can understand.