

SENATE AMENDMENTS TO SENATE BILL 698

By COMMITTEE ON HEALTH CARE

April 15

1 On page 1 of the printed bill, delete lines 6 through 25 and insert:

2 **“SECTION 2. (1) The State Board of Pharmacy shall adopt rules to require that, if a pa-**
3 **tient is of limited English proficiency and the prescribing practitioner, patient or an au-**
4 **thorized representative of the patient so requests, a prescription drug dispensed by a**
5 **pharmacist or pharmacy intern bear a label, or be dispensed with an informational insert, in**
6 **both English and in a language that the patient can read and understand. The rules adopted**
7 **under this section must:**

8 **“(a) Define ‘limited English proficiency.’**

9 **“(b) Determine the pharmacies to which the requirements of this section apply, and in-**
10 **clude at least pharmacies located in hospitals and in drug stores.**

11 **“(c)(A) Require that labels and informational inserts be available in at least the following**
12 **languages:**

13 **“(i) Spanish.**

14 **“(ii) Chinese.**

15 **“(iii) Vietnamese.**

16 **“(iv) Russian.**

17 **“(v) Korean.**

18 **“(vi) Japanese.**

19 **“(vii) Tagalog.**

20 **“(viii) Arabic.**

21 **“(ix) Khmer.**

22 **“(x) Persian.**

23 **“(xi) Nepali.**

24 **“(xii) Somali.**

25 **“(xiii) Karen.**

26 **“(xiv) Swahili.**

27 **“(B) Allow the board to require that labels and informational inserts be available in ad-**
28 **ditional languages in response to the demographics of communities in this state, and to**
29 **consult the most recent American Community Survey from the United States Census Bureau**
30 **and other resources as necessary to determine the language needs of each community.**

31 **“(d) Establish a list of statements for prescription drug labels and informational inserts**
32 **that must be available in the languages described in paragraph (c) of this subsection.**

33 **“(e) Determine for which prescription drugs it is appropriate to include an informational**
34 **insert.**

35 **“(2)(a) A pharmacy may contract with a third party for the translation of the labels and**

1 informational inserts required under subsection (1) of this section.

2 “(b) A pharmacy, pharmacist or pharmacy intern that dispenses a prescription drug in
3 compliance with the requirements of subsection (1) of this section may not be held liable for
4 injuries resulting from the actions of a third party if the pharmacy from which the label or
5 informational insert was dispensed entered into a contract with the third party in good faith,
6 and the pharmacy, pharmacist or pharmacy intern was not negligent with regard to the al-
7 leged misconduct of the third party.

8 “(3) The board may adopt other rules as necessary to carry out this section.

9 “(4) The board shall, in consultation with the Oregon Health Authority, adopt rules to
10 require that a pharmacy post signage to provide notification of the right to free, competent
11 oral interpretation and translation services for patients who are of limited English profi-
12 ciency. Rules adopted under this subsection must comply with any relevant federal laws and
13 regulations.”.

14 On page 3, line 24, delete “2020” and insert “2021”.