

## HB 4034 A STAFF MEASURE SUMMARY

### House Committee On Health Care

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**Action Date:** 02/14/22

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 6-4-0-0

**Yeas:** 6 - Alonso Leon, Campos, Dexter, Prusak, Salinas, Schouten

**Nays:** 4 - Hayden, Moore-Green, Noble, Weber

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**Meeting Dates:** 2/9, 2/14

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#### WHAT THE MEASURE DOES:

Allows pharmacy intern to transfer drug containing pseudoephedrine or ephedrine to person 18 years of age or older without prescription. Allows private entity to swipe driver license or identification card to submit information to electronic system for purpose of transferring drug containing pseudoephedrine. Extends sunset on provisions regulating sharing of COVID-19 data to one year after date on which state of emergency declared by Governor on March 8, 2020 and any extension of state of emergency, is no longer in effect. Requires reporting of information regarding dispensing of biological products until January 1, 2026. Authorizes Oregon Health Authority (OHA) to implement reproductive health services and education programs and provide funding for reproductive health services and education. Allows physicians and physician assistants to use telemedicine. Defines "telemedicine." Clarifies permitted use of telepharmacy by pharmacist, pharmacy technician or intern. Clarifies OHA requirements for OHA school-based health center grant programs. Allows pharmacist to delegate to pharmacy technician final verification of prescribed drug and drug dosage, device or product. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

- Recent availability of biosimilar products
- Data sharing for COVID-19 treatment purposes
- Fixes to House Bill 2648 (2021)

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

In 2021, the Legislative Assembly passed House Bill 2648, allowing a pharmacist or pharmacy technician to dispense drugs containing pseudoephedrine without a prescription to a person who is at least 18 years of age with a valid government-issued photo identification.

House Bill 3391 (2017), also known as the Reproductive Health Equity Act (RHEA), provides expanded coverage for eligible Oregonians to access free reproductive health services, especially those who, in the past, may not have been eligible for coverage of these services.

Telemedicine involves the two-way, real time interactive communication between the patient, and the physician or practitioner at the distant site. During the COVID-19 pandemic, telemedicine has allowed people to receive medical care while still socially distancing. Consequently, federal and states laws have been updated to allow for expanded use and insurance coverage of telemedicine.

## **HB 4034 A STAFF MEASURE SUMMARY**

House Bill 4034 A updates and clarifies a number of laws, including clarifying the permitted dispensation of pseudoephedrine, expressly allowing implementation of the Reproductive Health Equity Act, and clarifying standards for delivery of telemedicine.