

## HB 2574 A STAFF MEASURE SUMMARY

### House Committee On Behavioral Health and Health Care

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**Action Date:** 03/13/23

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

**Vote:** 11-0-0-0

**Yeas:** 11 - Bowman, Conrad, Dexter, Diehl, Goodwin, Javadi, Morgan, Nelson, Nosse, Pham H, Tran

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**Meeting Dates:** 2/14, 3/13

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#### WHAT THE MEASURE DOES:

Requires hospitals, excluding special inpatient care facilities, to adopt policies and procedures for prescribing and dispensing of five-day supply of human immunodeficiency virus (HIV) post-exposure prophylactic (PEP) drugs or therapies following patient's possible exposure to HIV. Requires Oregon Health Authority (OHA) to provide each type A or type B hospital in the state one 30-day supply of PEP drugs or therapies each calendar year at no cost. Prohibits health benefit plans from imposing deductible, copayment, coinsurance, or other cost-sharing for coverage of PEP drugs or therapies.

#### ISSUES DISCUSSED:

- Barriers to PEP access, especially in rural areas
- Responsibility for required coverage
- Cost of PEP therapies
- Potential implications of prohibition on cost-sharing for enrollees of high deductible health plans

#### EFFECT OF AMENDMENT:

Exempts special inpatient care facilities. Clarifies hospital responsibility to prescribe and dispense minimum of five-day supply of post-exposure prophylactic (PEP) drugs or therapies, including requiring patient's informed consent. Modifies requirement for Oregon Health Authority to provide PEP drugs and therapies to type A and type B hospitals one 30-day supply annually. Clarifies prohibition against health benefit plan imposition of deductible, copayment, coinsurance, or other cost-sharing for supplies of PEP drugs and therapies.

#### BACKGROUND:

Post-exposure prophylactic drugs and therapies that, if taken after recent exposure to the human immunodeficiency virus (HIV), can prevent HIV infection. In order to be effective, PEP therapies need to be started within 72 hours and taken for 28 days. Side effects of PEP drugs are generally not life threatening but can include treatable issues like nausea.

In 2021, the Legislative Assembly passed House Bill 2958, allowing pharmacists to prescribe, dispense, and administer both preexposure prophylactic antiretroviral (PrEP) and PEP therapies. The measure also required health insurers to cover the cost of prescription, dispensation, and administration of PrEP and PEP therapies, including patient consultation by the prescribing pharmacist.

House Bill 2574 A requires hospitals to adopt policies and procedures for the prescribing and dispensing of a five-day supply of post-exposure prophylactic drugs or therapies and requires the Oregon Health Authority to annually provide type A and type B hospitals one 30-day supply of those drugs or therapies at no cost.