

SB 192 B STAFF MEASURE SUMMARY**Carrier:** Rep. Nosse**House Committee On Rules**

Action Date: 06/21/23
Action: Do Pass the B-Eng bill.
Vote: 4-2-1-0
Yeas: 4 - Fahey, Kropf, Nosse, Valderrama
Nays: 2 - Breese-Iverson, Wallan
Exc: 1 - Scharf
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Daniel Dietz
Meeting Dates: 6/21

WHAT THE MEASURE DOES:

Directs pharmacy benefit managers (PBMs) to file a report with the Department of Consumer and Business Services (DCBS) to include the aggregated dollar amount of rebates, fees, price protection payments, and any other payments received from drug manufacturers. Specifies reporting requirements for health insurance plans. Directs the Prescription Drug Affordability Board to develop a plan for establishing upper payment limits on drugs sold in Oregon and to report back to the Legislative Assembly no later than September 15, 2024. Requires analysis of potential savings for the state, insurers, hospitals, consumers, and pharmacies. Increases number of members on the prescription drug advisory board from five to eight members.

ISSUES DISCUSSED:

- Agency capacity to review reported data
- Provisions related to payment of fees

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2018, the Legislative Assembly passed the Prescription Drug Price Transparency Act (House Bill 4005), which requires pharmaceutical manufacturers and insurers to report specified prescription drug cost and price information. In 2021, the Legislative Assembly passed Senate Bill 844 that established Oregon's Prescription Drug Affordability Board (PDAB) and directed it to review and report on the cost and affordability of different categories of prescription drugs. Senate Bill 844 directs the PDAB to provide recommendations for legislative changes necessary to make prescription drug products more affordable ([Link](#) to PDAB's 2022 Report for the Legislative Assembly).

Among its recommendations, the PDAB recommends annual reporting of the aggregated dollar amount of rebates, fees, and any other payments to pharmacy benefit managers from drug manufacturers, along with the number of participants and total value of coupons, discounts, and copayment assistance provided by drug manufacturers through patient assistance programs. The PDAB also recommends implementation of upper payment limits on prescription drugs purchased in Oregon.

Senate Bill 192 B directs pharmacy benefit managers to report to the Department of Consumer and Business Services the aggregated dollar amount of rebates, fees, and any other payments received from drug manufacturers, and directs the PDAB to develop a plan for establishing upper payment limits on drugs sold in Oregon and to report back to the Legislative Assembly no later than September 15, 2024.