

Submitter: Thomas Busse

On Behalf Of:

Committee: House Committee On Behavioral Health and Health Care

Measure: HB3013

This bill violates the single subject rule of the Oregon Constitution, Article IV Section 20. Section 8 of this bill MUST be considered by the legislature as a second subject and a separate bill.

Specifically, the bill does two completely different things: 1. It creates a new professional and occupational licensing regime for Pharmacy Benefit Managers, and 2. It creates a new law applicable to all pharmacies, insurers, and medical assistance programs not involving PBMs regarding the disclosure of prescription drug 340b status.

340b is a flawed federal program desperately in need of reform and greater transparency. The lack of federal regulation and requirements for 340b pharmacies to disclose the use of discounts and ensure they meet their charitable goals has allowed numerous bad actors to emerge. This bill does the opposite of ensuring transparency. In separate testimony to HB 2716, I described in detail incidents of fraud, waste, and abuse in the 340b program. I urge the legislature commission an audit of 340b programs in Oregon, especially since the public has been excluded from the oversight process with the exemption of CCO's from the state's Public Records law.