



Open Government Impact Statement

82nd Oregon Legislative Assembly
2024 Regular Session

Measure: HB 4149

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Digest: The Act requires PBMs to be licensed and changes the definition of a PBM. The Act changes how drug stores can appeal the amounts that a PBM pays the drug store for drugs sold by the drug store. The Act changes the way PBMs can audit drug stores. The Act requires PBMs to report certain information each year to DCBS. The Act requires health insurance policies to allow the individuals covered by the policies to choose their own drug store or druggist. The Act requires insurers that offer health insurance to contract with any drug store that is willing to agree to the terms of the insurance contract. The Act makes changes to the way 340B drugs are covered by insurance. (Flesch Readability Score: 67.4).

Requires pharmacy benefit managers to be licensed by the Department of Consumer and Business Services beginning January 1, 2025. Modifies the definition of "pharmacy benefit manager" and imposes new requirements on pharmacy benefit managers. Modifies the procedures for a pharmacy to appeal the payment made by a pharmacy benefit manager on a claim for reimbursement. Restricts audits of pharmacy claims for reimbursement.

Requires pharmacy benefit managers to report specified information to the department on an annual basis.

Requires policies or certificates of health insurance and contracts providing for the reimbursement of the cost of prescription drugs to allow a policyholder, certificate holder and beneficiary to select a pharmacy or pharmacist for filling prescriptions and for prescription renewals. Requires policies, certificates and contracts to contract with any pharmacy or pharmacist willing to abide by the terms and conditions of the policy, certificate or contract. Imposes new requirements with respect to the insurance coverage of 340B drugs.

Declares an emergency, effective on passage.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure contracts and amendments to contracts with pharmacies or pharmacy services administrative organizations, as well as pharmacy benefit managers' provider manuals, submitted to the Department of Consumer and Business Services by pharmacy benefit managers.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain access to contracts, contract amendments and provider manuals submitted to the department by pharmacy benefit managers.