

HB 3082 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Meeting Dates: 2/25

WHAT THE MEASURE DOES:

The measure requires prescription drug manufacturers to report to the Department of Consumer and Business Services (DCBS) by March 15 of each year on the total number of consumers who participated in every patient assistance program offered by the manufacturer. It specifies that reporting is required regardless of whether manufacturer must also report on drug based on price increase.

FISCAL: May have fiscal impact, but no statement yet issued.

REVENUE: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Prescription drug manufacturers commonly sponsor patient assistance programs (PAPs) that provide financial assistance to patients who cannot afford needed prescription medications. Many PAPs are designed to reduce consumer cost-sharing for high-cost specialty drugs that treat conditions such as cancer and rare diseases. PAPs are often drug-specific and have income limits as part of their eligibility criteria. While PAPs help provide access to medications for low-income individuals, they are also criticized for helping to keep drug prices high and potentially inducing patient to costly medications where cheaper alternatives may be available.

In 2018, the Legislative Assembly passed House Bill 4005, also known as the Prescription Drug Price Transparency Act, which required prescription drug manufacturers to annually report specified information to the Department of Consumer and Business Services (DCBS) regarding prescription drugs that cost more than \$100 for a one-month supply or had more than a 10 percent increase in price. House Bill 2658 passed the following year, requiring prescription drug manufacturers to report to DCBS 60 days before implementing a price increase on a brand name drug by 10 percent or more, or more than \$10,000. In 2021, the Legislative Assembly passed Senate Bill 844, establishing the Prescription Drug Affordability Board (PDAB) in DCBS and requiring that PDAB have access to required prescription drug reporting.

House Bill 3082 requires prescription drug manufacturers to report to the Department of Consumer and Business Services (DCBS) by March 15 of each year on the total number of consumers who participated in every patient assistance program offered by the manufacturer.