Senate Bill 533

Sponsored by Senator PATTERSON, Representative NOSSE; Senator MEEK (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.** The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act bans drug makers from taking actions that make it hard for some drug outlets to get certain drugs on behalf of health care providers, deliver the drugs to the providers or dispense the drugs. The Act makes these actions subject to a civil penalty for violations. (Flesch Readability Score: 60.8).

Creates a civil penalty for drug manufacturers that interfere directly or indirectly with certain entities acquiring 340B drugs, delivering 340B drugs to certain health care providers or dispensing 340B drugs. Creates a civil penalty for drug manufactures that require certain entities to submit utilization review data as a condition of acquiring, delivering or dispensing 340B drugs.

A BILL FOR AN ACT

Relating to restrictions on 340B covered entities.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) "Covered entity" has the meaning given that term in 42 U.S.C. 256b(a)(4).

(b) "Manufacturer" has the meaning given that term in ORS 646A.689.

(c) "340B drug" means a drug that has been subject to an offer of a reduced price by a manufacturer pursuant to 42 U.S.C. 256b and is purchased by a covered entity.

(d) "Utilization review" has the meaning given that term in ORS 743B.001.

(2) A manufacturer or third party on behalf of a manufacturer may not:

(a) Deny, restrict, prohibit or otherwise interfere directly or indirectly with the acquisition of a 340B drug, delivery of a 340B drug to or dispensation of a 340B drug by a pharmacy that has contracted with a covered entity to receive and dispense 340B drugs on behalf of the covered entity in this state unless the acquisition delivery or dispensation is prohibited by the United states Department of Health and Human Services.

(b) Require, either directly or indirectly, a covered entity to submit a claim or utilization review data as a condition for the acquisition of a 340B drug by, delivery of a 340B drug to or dispensation of a 340B drug by a pharmacy that has contracted with a covered entity to receive and dispense 340B drugs on behalf of the covered entity in this state unless the claims or utilization review data submission is required by the United States Department of Health and Human Services.

SECTION 2. In addition to any other penalty provided by law, the State Board of Pharmacy may impose a civil penalty, in the manner provided in ORS 183.745, not to exceed $5,000 per day on a manufacturer for each violation of section 1 of this 2025 Act.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.