

FACT CHECK | PBM regulation in Maine and Oregon

Requirement on PBM	Maine Law	HB 4122
Unconstitutional fiduciary obligation?	✓	
Conflict of interest notification?	✓	
Insurer allowed access to most proprietary information?	✓	
Disclose financial info related to provision of benefits?	✓	✓
100% rebate pass through?	✓	
100% drug substitution profit pass through?	✓	
Mandated pharmacy costs?	✓	
Expanded State Auditor power?	✓	
Disclosure of reimbursement policies?	✓	✓
Limited 3 rd party disclosure?	✓	✓
Trade secret protection?		✓
Unfair Trade Practices Enforcement?	✓	
Explicit exemption for insurance company ¹ ?		✓

¹ Exemption to be included in -2 amendments, currently in drafting