

TO: Senator Laurie Monnes Anderson, Chair  
Senate Committee on Health Care, Human Services and Rural Health

FROM: Senator Jackie Winters

DATE: February 9, 2012

RE: SB 1570 – Relating to Payment for Prescription Drugs

Thank you for this opportunity to share with you one of my priorities for this Legislative Session. SB 1570 would restore the critical protections that were formerly in place for those suffering from cancer, HIV/AIDS, organ transplantation and seizures.

When the Medicaid preferred drug list (PDL) was legislatively established in 2001, these drugs were part of the legislative carve out that, to this day, protects patient access to *mental health* medications. In 2009, I led the session-long negotiations to authorize prior authorizations of certain Medicaid prescriptions, subject to the final word of the prescribing practitioner. As a result of those negotiations, we retained the existing protection for mental health medications and for *refills* of the classes that are the subject of SB 1570. SB 1570 restores the critical assurance of open access for these classes of drugs, protecting not just refills, but the initial prescription as well.

While the Oregon Health Authority has not yet taken specific action to restrict access to these classes, I am deeply concerned that any expansion of the PDL does not impact the care of those suffering from these conditions. I am aware that discussions are taking place regarding PDL expansion – and even repeal of the protections for those with mental illnesses – and I am committed to ensuring that Oregon's poorest citizens receive the care and treatment as prescribed by their medical practitioner. As with mental health medications, access to the broad array of approved medications is critical to the care of these complex disease states.

Finally, since these classes of medications are not currently restricted, I expect no fiscal implications. In fact, restricting patient access to the medications in the future is more likely to result in negative fiscal consequences than is this proposal. Relapse, adherence and resistance issues, multiple physician visits and negative societal consequences should be our primary concern. I want to thank Senator Alan Bates for providing compromise language for this bill that includes a four-year sunset provision with which I agree. With these changes, please join me in extending the legislative refill protection to these classes in general.

## Sen Winters

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**From:** Jason.Parks@cancer.org  
**Sent:** Thursday, February 09, 2012 2:51 PM  
**To:** ThieleCirka Sandy  
**Cc:** Sen Winters  
**Subject:** American Cancer Society Cancer Action Network (ACS CAN) Supports SB 1570

Hello,

My name is Jason Parks and I am the Oregon Director of Government Relations for the American Cancer Society Cancer Action Network (ACS CAN) and I am writing to express ACS CAN's support of Senate Bill 1570. ACS CAN is the nonprofit, nonpartisan advocacy affiliate organization of the American Cancer Society, dedicated to eliminating cancer as a major health problem and we support this legislation's effort to allow greater access to medicine for those with cancer.

Please let me know if you have any questions.

Thank you for your time.

**Jason Parks** | Oregon Government Relations Director  
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