

**REVENUE: No revenue impact**

**FISCAL: Fiscal statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by prior reference

**Vote:** 6 - 4 - 0

**Yeas:** Cannon, Dembrow, Garrett, Harker, Kotek, Greenlick

**Nays:** Bruun, Kennemer, Maurer, Thompson

**Exc.:** 0

**Prepared By:** Sandy Thiele-Cirka, Administrator

**Meeting Dates:** 3/9, 3/30

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**WHAT THE MEASURE DOES:** Requires pharmaceutical manufacturers to annually report to the Department of Justice (DOJ) gifts, fees, payments, subsidies or other economic benefits that manufacturers provide to purchasers, providers or dispenser of manufacturers' prescription drugs in Oregon. Defines terms. Authorizes imposition of civil penalty for failure to report required information. Directs DOJ to develop a database and website for public access. Directs DOJ to report to Legislative Assembly and the Governor. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Transparency for pharmaceutical and medical device manufacturers
- Direct marketing impact
- Current voluntary industry guidelines
- Drug spending and direct marketing costs
- Financial relationship between pharmaceutical/medical device industries and healthcare practitioners
- Lack of oversight and regulation
- Proposed amendment
- Impact of Unlawful Trade Practices Act
- Consumers ability to access information via DOJ's website
- Enforcement capabilities of DOJ

**EFFECT OF COMMITTEE AMENDMENT:** Replaces original measure.

**BACKGROUND:** According to the National Conference of State Legislatures, five states (California, Maine, Minnesota, Vermont, and West Virginia) and the District of Columbia have enacted laws affecting pharmaceutical marketing and advertising practices. Maine is one of the five states that have existing laws regulating pharmaceutical advertising and marketing. Some state laws require drug companies to report physician payments. Others limit gifts to \$25 or \$50 a year, and Massachusetts is considering a complete gift ban.