

Senate Bill 164

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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**.

Requires Oregon Health Authority, with advice of Pharmacy and Therapeutics Committee, to adopt by rule conduct and communication standards for academic detailing.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to evidence-based information about pharmaceuticals; creating new provisions; amending
3 ORS 414.353; and declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 414.351 to**
6 **414.414.**

7 **SECTION 2. (1) As used in this section:**

8 (a) "Academic detailing" means providing evidence-based information, through education
9 or outreach, to guide drug therapy and prescribing decisions by pharmaceutical prescribers
10 and dispensers.

11 (b) "Dispenser" means a pharmacy, mail order prescription pharmacy or any person li-
12 censed to dispense prescription drugs under ORS chapter 689.

13 (c) "Prescriber" means a person who is licensed or certified to prescribe and administer
14 prescription drugs in this state.

15 (2) The Oregon Health Authority, with the advice of the Pharmacy and Therapeutics
16 Committee, shall adopt by rule conduct and communication standards for academic detailing
17 that are consistent with standards used by the committee in its drug use review under ORS
18 414.351 to 414.414. The standards must:

19 (a) Be consistent with federal requirements that govern academic detailing by pharma-
20 ceutical companies;

21 (b) Require that evidence used in academic detailing be reviewed for scientific accuracy
22 and balance and be held to standards equivalent to the standards that the United States Food
23 and Drug Administration applies to communications from pharmaceutical companies re-
24 garding brand-name prescription drugs;

25 (c) Require that continuing medical education programs on academic detailing adhere to
26 requirements imposed by the Accreditation Council for Continuing Medical Education; and

27 (d) Ensure that academic detailing does not create barriers to necessary care or focus
28 solely on cost but helps health care professionals to make the right choices for patients.

29 (3) A person engaged in academic detailing must comply with the standards adopted by
30 the authority under this section.

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.

1 **SECTION 3. (1) The Oregon Health Authority shall adopt the standards described in**
2 **section 2 of this 2013 Act no later than January 1, 2014.**

3 **(2) The authority shall report to the house interim committee on health care no later**
4 **than October 1, 2014, on the impact on patient outcomes and physician knowledge of the**
5 **standards adopted under section 2 of this 2013 Act.**

6 **SECTION 4.** ORS 414.353 is amended to read:

7 414.353. (1) There is created an 11-member Pharmacy and Therapeutics Committee responsible
8 for advising the Oregon Health Authority on:

9 **(a)** The implementation of the retrospective and prospective programs [*and on*];

10 **(b)** The Practitioner-Managed Prescription Drug Plan[.]; **and**

11 **(c) Standards for academic detailing.**

12 (2) The Director of the Oregon Health Authority shall appoint the members of the committee,
13 who shall serve at the pleasure of the director for a term of three years. An individual appointed
14 to the committee may be reappointed upon completion of the individual's term. The membership of
15 the committee shall be composed of the following:

16 (a) Five persons licensed as physicians and actively engaged in the practice of medicine or
17 osteopathic medicine in Oregon, who may be from among persons recommended by organizations
18 representing physicians;

19 (b) Four persons licensed in and actively practicing pharmacy in Oregon who may be from
20 among persons recommended by organizations representing pharmacists whether affiliated or unaf-
21 filiated with any association; and

22 (c) Two persons who are not physicians or pharmacists.

23 (3) If the committee determines that it lacks current clinical or treatment expertise with respect
24 to a particular therapeutic class, or at the request of an interested outside party, the director shall
25 appoint one or more medical experts otherwise qualified as described in subsection (2)(a) of this
26 section who have such expertise. The medical experts shall have full voting rights with respect to
27 recommendations made under ORS 414.361 (3) and (4). The medical experts may participate but may
28 not vote in any other activities of the committee.

29 (4) The director shall fill a vacancy on the committee by appointing a new member to serve the
30 remainder of the unexpired term.

31 **SECTION 5. This 2013 Act being necessary for the immediate preservation of the public**
32 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
33 **on its passage.**

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