

February 10, 2014

Chair Monnes Anderson and Members of the Senate Health Care & Human Services Committee

RE: Testimony on Senate Bill 1561

This letter expresses the intent and commitment of all parties to resolve the issue of the Board of Pharmacy (BoP) regulation of locations where health practitioners are authorized to dispense drugs.

The BoP had received an Attorney General Opinion indicating that locations at which health care practitioners dispense drugs are subject to regulation by the BoP. The BoP staff crafted proposed administrative rules to impose regulations on dispensing providers for the BoP to consider.

However, specified health care practitioners are authorized by BoP statutes to dispense drugs without a license to practice pharmacy if authorized by state law to do so, and multiple licensing boards, including the Oregon Medical Board, the Oregon State Board of Nursing and the Oregon State Board of Dentistry, regulate dispensing of drugs by their licensees.

The BoP and provider professional association, along with the Governor's office have had several conversations and have agreed to the following:

- Before July 1, 2015, the BoP will not propose or adopt administrative rules regulating clinics and other locations where health care practitioners dispense drugs as allowed by law and the BoP does not currently regulate. This prohibition does not prevent rulemaking related to entities the BoP currently regulates.
- The BoP will work in good faith with the licensing boards that govern health practitioner dispensing and relevant professional associations to bring forward any BoP patient safety concerns related to health practitioner dispensing. If legitimate concerns are brought forward, the BoP will collaborate with the licensing boards and professional associations to address those concerns through the existing oversight structure.
- At or before the 2015 legislative session, the BoP will work with the relevant professional associations, boards and other stakeholders to bring legislation that addresses the Attorney General Opinion; maintains existing professional board regulatory oversight, does not create unnecessary and redundant oversight of drug dispensing and does not create access barriers for patients.

We appreciate the Committee's attention on this issue and look forward to updating the Committee on what we hope will be a positive outcome at a later date.

Oregon State Board of Pharmacy
Oregon Medical Association
Oregon Nurses Association
Oregon Dental Association