



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

March 3, 2015

The Honorable Senator Laurie Monnes Anderson
Honorable Members of the Senate Committee on Health Care
Oregon State Senate
Salem, OR

RE: Senate Bill 147 – Relating to biological products

Dear Senator Monnes Anderson and members of the Senate Committee on Health Care:

On behalf of the members of the National Association of Chain Drug Stores (NACDS) operating in Oregon, I would like to thank you for holding a hearing on Senate Bill 147. The NACDS member companies in Oregon operate over 400 stores, employ over 58,000 full and part-time employees, and pay over \$52 million in state taxes.

NACDS opposes Senate Bill 147 in its current form, which in section 2, subsection (2) (d) requires a pharmacy, pharmacist or their designee to notify the prescriber when a biological product is dispensed, which includes any future approved interchangeable biosimilars.

Federal law states that biosimilars that have been determined to be interchangeable “may be substituted for the reference product without the intervention of the health care provider who prescribed the reference product”.

The 2010 law expressly states that a pharmacist or other dispenser may substitute an interchangeable biological product for the reference product without consulting the prescriber. This is important. Substitutability helped spur the growth of the generic drug industry at an earlier time and is similarly essential to help foster competition in the biological drug market. Ultimately, such competition will spur innovation, improve consumer choice and drive down medical costs ... The high standards for approval of biosimilar and interchangeable products means that patients and health professionals can be assured that when those products go to market they will meet the standards of safety efficacy and high quality that everyone expects and counts on. Efforts to undermine trust in these products are worrisome and represent a disservice to patients who could benefit from these lower-cost treatments.

If prescribers are adamant on being notified when an interchangeable has been dispensed when substitution has been permitted by the prescriber, we would recommend the prescriber indicate “notification of interchangeable” or “NOI” on the prescription indicating a desire to be notified.

We respectfully request that either the original bill be amended or be set aside and let the notification requirement on interchangeables sunset as agreed to in the original law.

We appreciate your consideration of our concerns.

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