

## FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 93 - A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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### **Measure Description:**

Requires reimbursement for up to 90-day supply of prescription drug that is prescribed for chronic condition.

### **Government Unit(s) Affected:**

Oregon Health Authority (OHA), Department of Consumer and Business Services (DCBS)

### **Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

### **Analysis:**

Senate Bill 93 requires prescription drug benefit programs and prescription drug benefit offered under health benefit plans to reimburse refills for up to a 90-day supply of a covered prescription medication if that medication is a generic; and has been previously dispensed to the policyholder with the same dosage instruction for not less than 90 days; and quantity of the refill does not exceed the total remaining quantity authorized by the prescribing practitioner. The bill states that this coverage requirement may be limited by formulary restrictions, as well as the terms and conditions of a pharmacy network contract, or a prescription drug benefit program or health benefit plan. The bill also specifies that this does not apply to drugs classified as a controlled substance in Schedule II.

### Public Employees' Benefit Board (PEBB)

Providence, PEBB's largest carrier and administrative consultant, reports an indeterminate fiscal impact to PEBB if this bill becomes law. However, the Legislative Fiscal Office (LFO) anticipates the fiscal impact of this bill to be nominal. According to Providence, the bill could potentially result in waste associated with a 90 day supply, as well as policyholders switching from mail order to retail due to lower copays, as well as additional cost due to loss of copays for 60 days of supplies at retail, but Providence has not provided PEBB with quantified details of how these changes would affect premium rates. LFO notes that currently, PEBB already offers a 90 day supply of generic prescriptions at preferred pharmacies, as well as by mail order.

### Oregon Educators Benefit Board (OEBB)

The fiscal impact of this bill to OEBB is anticipated to be minimal.

The difference between PEBB and OEBB projections are due to two main factors: (1) PEBB is self-insured, and OEBB is insured; (2) the drug formularies for each plan differ.

### Department of Consumer and Business Services (DCBS)

The fiscal impact of this bill to DCBS is anticipated to be minimal.