

# House Bill 3163

Sponsored by Representatives WEIDNER, OLSON, Senator ROBLAN, Representative BOONE

## 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**.

Prohibits prescription drug benefit program and health benefit plan from providing for reimbursement of quantity or supply of prescription drug dispensed by mail order pharmacy if prescription drug benefit program or health benefit plan does not provide for reimbursement of equivalent quantity or supply of prescription drug when prescription drug is dispensed by community pharmacy.

## A BILL FOR AN ACT

1  
2 Relating to the dispensing of prescription drugs.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of the Insurance Code.**

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

6 (a) **“Community pharmacy” means a pharmacy that provides retail services to the public**  
7 **at a physical location and that:**

8 (A) **Primarily provides services to the public in person;**

9 (B) **Primarily dispenses prescription drugs directly to patients at the physical location;**  
10 **and**

11 (C) **Provides patients with an opportunity to consult with a pharmacist in person.**

12 (b) **“Health benefit plan” has the meaning given that term in ORS 743.730.**

13 (c) **“Mail order pharmacy” means a pharmacy that:**

14 (A) **Primarily provides services to the public remotely;**

15 (B) **Primarily receives orders to fill or refill prescriptions by telephone, mail or electronic**  
16 **transmission; and**

17 (C) **Primarily dispenses prescription drugs to patients by mail or through the use of a**  
18 **delivery service.**

19 (2) **A prescription drug benefit program, or a prescription drug benefit offered under a**  
20 **health benefit plan, may not provide for reimbursement of a quantity or supply of a pre-**  
21 **scription drug dispensed by a mail order pharmacy if the prescription drug benefit program**  
22 **or the health benefit plan does not provide for reimbursement of an equivalent quantity or**  
23 **supply of the prescription drug when the prescription drug is dispensed by a community**  
24 **pharmacy.**

25 (3) **This section is exempt from ORS 743A.001.**  
26

**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.