

# Enrolled Senate Bill 93

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CHAPTER .....

AN ACT

Relating to the dispensing of prescription drugs.

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

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

**SECTION 2.** (1) A prescription drug benefit program, or a prescription drug benefit offered under a health benefit plan as defined in ORS 743.730, must provide for reimbursement for up to a 90-day supply of a prescription drug dispensed by a pharmacy, as defined in ORS 689.005, if:

- (a) The prescription drug is covered by the program or plan;
- (b) An initial 30-day supply of the prescription drug has been previously dispensed to the program or plan member; and
- (c) The quantity of the prescription drug dispensed does not exceed the total remaining quantity of the prescription drug that the prescribing practitioner authorized to be dispensed through refills.

(2) The coverage required by subsection (1) of this section may be limited by the terms and conditions of a pharmacy network contract, or a prescription drug benefit program or health benefit plan, that are related to the reimbursement rate of the prescription drug.

(3) The coverage required by subsection (1) of this section may be limited by formulary restrictions that are related to the prescription drug.

(4) This section does not apply to the reimbursement of prescription drugs classified as a controlled substance in Schedule II.

(5) This section is exempt from ORS 743A.001.

**SECTION 3.** Section 2 of this 2015 Act applies to contracts for the reimbursement of a prescribed drug that are entered into or renewed on or after the effective date of this 2015 Act.

**Passed by Senate April 30, 2015**

**Repassed by Senate June 24, 2015**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 11, 2015**

**Repassed by House June 25, 2015**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2015

**Approved:**

.....M,....., 2015

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State