

# House Bill 3098

Sponsored by Representative NOSSE

## 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**.

Establishes Task Force on Prior Authorization of Prescription Drugs. Specifies membership and duties. Requires task force to investigate health insurance carriers' prior authorization practices and report to interim committees of Legislative Assembly related to health by September 15, 2018.

Sunset December 31, 2018.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to prior authorization of prescription drugs; and prescribing an effective date.

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

**SECTION 1. (1) The Task Force on Prior Authorization on Prescription Drugs is established.**

**(2) The task force consists of seven members appointed as follows:**

**(a) The President of the Senate shall appoint one member from among members of the Senate, who shall serve as cochairperson.**

**(b) The Speaker of the House of Representatives shall appoint one member from among members of the House of Representatives, who shall serve as cochairperson.**

**(c) The President and the Speaker shall jointly appoint:**

**(A) One member representing physicians;**

**(B) One member representing nurse practitioners with the authority to prescribe drugs;**

**(C) One member representing health insurance carriers;**

**(D) One member representing pharmacy benefit managers; and**

**(E) One member representing health insurance enrollees.**

**(3) The task force shall investigate the practices of health insurance carriers in requiring prior authorization for prescription drugs and imposing other utilization control methods intended to limit or curtail a health care provider's authority to determine the prescription drug that best meets the need of the provider's patient.**

**(4) The task force may subpoena witnesses and order the production of documents.**

**(5) A majority of the members of the task force constitutes a quorum for the transaction of business.**

**(6) Official action by the task force requires the approval of a majority of the members of the task force.**

**(7) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.**

**(8) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.**

**(9) The task force may adopt rules necessary for the operation of the task force.**

**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.

1       (10) The task force shall submit a report in the manner provided by ORS 192.245, and  
2 may include recommendations for legislation, to the interim committees of the Legislative  
3 Assembly related to health its findings and recommendations for any legislative changes  
4 needed to fairly balance the interests of carriers, health care providers and patients in the  
5 accessibility of prescription drugs, no later than September 15, 2018.

6       (11) The Department of Consumer and Business Services shall provide staff support to  
7 the task force.

8       (12) Members of the task force who are not members of the Legislative Assembly are not  
9 entitled to compensation or reimbursement for expenses and serve as volunteers on the task  
10 force.

11       (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
12 the task force in the performance of the task force's duties and, to the extent permitted by  
13 laws relating to confidentiality, to furnish information and advice the members of the task  
14 force consider necessary to perform their duties.

15       SECTION 2. Section 1 of this 2017 Act is repealed on December 31, 2018.

16       SECTION 3. This 2017 Act takes effect on the 91st day after the date on which the 2017  
17 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

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