



February 7, 2018

**Oregon Progressive Party  
Position on Bill at 2018  
Session of Oregon Legislature:**

**HB 4156: Support, needs improvement to close loophole**

Dear Committee:

The Oregon Progressive Party supports HB 4156, which prohibits carriers offering health benefit plans from making specified changes to prescription drug coverage during plan year.

But the actual prohibitory language seems to be less than ideal. It states, for example:

(11) A carrier that offers an individual health benefit plan that reimburses the costs of prescription drugs sold by a retail pharmacy or administered by a health care provider may not, during a plan year:

(a) Remove a prescription drug from a prescription drug formulary, except in response to an alert issued by the United States Food and Drug Administration;

(b) Increase the deductible, copayment, coinsurance or other cost sharing applicable to a prescription drug unless an A-rated generic for the prescription drug is added to a formulary before the increase becomes effective; or

(c) Impose new utilization controls on a prescription drug, including but not limited to prior authorization or step therapy.

That would allow the carrier to increase the deductible, copayment, coinsurance or other cost sharing applicable to a prescription drug, if an A-rated generic for the prescription drug is added to a formulary, without any limit on the cost of the generic drug. The carrier could add a generic drug at a high price to consumers and then increase the cost of the brand name drug, without limit, during the plan year. This loophole should be closed.

**Oregon Progressive Party**

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