

# House Bill 2840

Sponsored by Representative NOBLE, Senator STEINER HAYWARD, Representative NOSSE; Senator LINTHICUM

## 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 prohibitions for registered pharmacy benefit managers.

### A BILL FOR AN ACT

1  
2 Relating to pharmacy benefit managers.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 735.530 to**  
5 **735.552.**

6 **SECTION 2. A pharmacy benefit manager registered under ORS 735.532 may not:**

7 **(1) Require an insured to fill or refill prescriptions using a mail-order service.**

8 **(2) Prohibit a pharmacist or pharmacy from providing to a patient information regarding**  
9 **the patient's cost share for a prescription drug and, if available, the clinical efficacy of a**  
10 **lower cost alternative drug.**

11 **(3) Prohibit a pharmacist or pharmacy from selling an insured a lower cost alternative**  
12 **drug.**

13 **(4) Prohibit a pharmacist or pharmacy from offering or providing delivery as an ancillary**  
14 **service.**

15 **(5) Charge or collect from an insured a copayment for a drug in an amount that exceeds**  
16 **the reimbursement the pharmacy benefit manager pays to the pharmacist or pharmacy for**  
17 **the drug.**

18 **(6) Hold a pharmacist or pharmacy responsible for a fee for the adjudication of a claim**  
19 **for reimbursement.**

20 **(7) Recoup from a pharmacist or pharmacy costs associated with claims for which the**  
21 **pharmacist or pharmacy has already been paid, unless otherwise required by law.**

22 **(8) Penalize a pharmacist or pharmacy or retaliate against a pharmacist or pharmacy for**  
23 **providing information described in subsection (2) of this section, selling a lower cost alter-**  
24 **native drug or offering or providing delivery as described in subsection (4) of this section.**  
25

---

**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.