

Requested by SENATE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO
HOUSE BILL 4030**

1 On page 1 of the printed bill, line 2, after “managers;” insert “creating
2 new provisions;”.

3 On page 4, after line 5, insert:

4 **“SECTION 4. Section 5 of this 2020 Act is added to and made a part
5 of ORS 735.540 to 735.552.**

6 **“SECTION 5. (1) A pharmacy benefit manager registered under ORS
7 735.532 may not retroactively deny or reduce a claim for reimburse-
8 ment of the cost of services after the claim has been adjudicated by
9 the pharmacy benefit manager unless the:**

10 **“(a) Adjudicated claim was submitted fraudulently;**

11 **“(b) Pharmacy benefit manager’s payment on the adjudicated claim
12 was incorrect because the pharmacy or pharmacist had already been
13 paid for the services;**

14 **“(c) Services were improperly rendered by the pharmacy or
15 pharmacist; or**

16 **“(d) Pharmacy or pharmacist agrees to the denial or reduction prior
17 to the pharmacy benefit manager notifying the pharmacy or
18 pharmacist that the claim has been denied or reduced.**

19 **“(2) Subsection (1) of this section may not be construed to limit
20 pharmacy claim audits under ORS 735.540 to 735.552.**

21 **“SECTION 6. Section 5 of this 2020 Act becomes operative on Jan-**

1 uary 1, 2021.

2 **“SECTION 7. Section 5 of this 2020 Act is repealed on July 1,**
3 **2021.”.**

4 In line 6, delete “4” and insert “8”.

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