

# Enrolled House Bill 2623

Sponsored by Representatives SCHOUTEN, SMITH DB; Representatives ALONSO LEON, CAMPOS, FAHEY, GRAYBER, HERNANDEZ, HOLVEY, HUDSON, LEIF, MEEK, NATHANSON, NERON, NOSSE, PHAM, POWER, PRUSAK, REARDON, REYNOLDS, RUIZ, SANCHEZ, SOLLMAN, VALDERRAMA, WILLIAMS, Senators FREDERICK, KENNEMER, MANNING JR, PATTERSON (Presession filed.)

CHAPTER .....

AN ACT

Relating to the cost of insulin.

Whereas almost 20,000 Oregonians are diagnosed with diabetes each year; and

Whereas as of January 1, 2018, more than 435,000 adults in Oregon have been diagnosed with diabetes and another 100,000 are undiagnosed but living with the disease; and

Whereas every Oregonian with Type 1 diabetes and many with Type 2 diabetes rely on daily doses of insulin to survive; and

Whereas the annual medical costs related to diabetes in Oregon are \$4.3 billion; and

Whereas insulin prices rose by 45 percent between 2014 and 2017 and, over the past 14 years, the price of insulin has risen by 550 percent, adjusted for inflation; and

Whereas one in four individuals with Type 1 diabetes have reported using less than the prescribed amount of insulin due to the high cost of insulin; and

Whereas it is important to implement state policies that reduce the costs for Oregonians with diabetes to obtain life-saving and life-sustaining insulin; now, therefore,

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

**SECTION 1. Section 2 of this 2021 Act is added to and made a part of the Insurance Code.**

**SECTION 2. (1) As used in this section:**

**(a) "Health benefit plan" has the meaning given that term in ORS 743B.005.**

**(b) "Insulin" has the meaning given that term in ORS 689.696.**

**(2) A health benefit plan offered in this state may not require an enrollee in the plan to incur cost-sharing or other out-of-pocket costs, as adjusted under subsection (3) of this section, that exceed \$75 for each 30-day supply of a type of insulin prescribed for the treatment of diabetes or \$225 for each 90-day supply.**

**(3) The Department of Consumer and Business Services shall, by rule, annually adjust the maximum cost specified in subsection (2) of this section by the percentage increase, if any, in the cost of living for the previous calendar year, based on changes in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor.**

**(4) The coverage under this section may not be subject to a deductible imposed by a health benefit plan.**

(5) This section does not prohibit a health benefit plan from using a drug formulary or other utilization review protocol applicable to prescription drug coverage under the plan.

(6) This section is not subject to ORS 743A.001.

**SECTION 3.** Section 2 of this 2021 Act applies to health benefit plans issued, renewed or extended on or after January 1, 2022.

**Passed by House April 15, 2021**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 20, 2021**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2021

**Approved:**

.....M,....., 2021

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Kate Brown, Governor

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

.....M,....., 2021

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Shemia Fagan, Secretary of State