

SB 1529 A STAFF MEASURE SUMMARY

Carrier: Sen. Patterson

Senate Committee On Health Care**Action Date:** 02/09/22**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 3-1-1-0**Yeas:** 3 - Beyer, Manning Jr, Patterson**Nays:** 1 - Linthicum**Exc:** 1 - Kennemer**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Daniel Dietz, LPRO Analyst**Meeting Dates:** 2/7, 2/9**WHAT THE MEASURE DOES:**

Applies existing requirements for contracts between pharmacies and pharmacy benefit managers (PBMs) to all contracts entered into, renewed, or extended on or after January 1, 2021, and contracts automatically renewed on or after January 1, 2023. Allows the Oregon Health Authority (OHA) to declare a health care emergency and to deploy the State Emergency Registry of Volunteers in Oregon (SERV-OR). Directs the agency to provide workers' compensation coverage for SERV-OR providers. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Applicability of certain requirements to contracts between pharmacies and pharmacy benefit managers
- Contribution of SERV-OR volunteers during the COVID-19 pandemic
- Authority of state officials to declare health care emergencies

EFFECT OF AMENDMENT:

Allows the Oregon Health Authority (OHA) to declare a health care emergency and to deploy the State Emergency Registry of Volunteers in Oregon (SERV-OR). Directs the agency to provide workers' compensation coverage for SERV-OR providers. Removes provision that would allow a pharmacist or pharmacy technician to scan a driver's license or ID card when dispensing pseudoephedrine.

BACKGROUND:

Pharmacy benefit managers (PBMs) are intermediaries between health insurers, pharmacies, wholesalers, and manufacturers. Most health insurers contract with PBMs to provide third-party administrative services for the insurer's pharmacy benefit. House Bill 2185 (2019) imposed a number of requirements on PBMs operating in the state, including prohibiting the requirement that prescriptions be filled via mail order pharmacy and limiting the retroactive denial or reduction of claims.

The State Emergency Registry of Volunteers in Oregon (SERV-OR) is a database of health care professionals, including physicians, nurses, pharmacists, Emergency Medical Technicians (EMTs), behavioral health providers, respiratory therapists and others who serve in response to emergencies. Providers who are licensed in another state may practice in Oregon upon declaration of an emergency.

Senate Bill 1529 A applies the pharmacy benefit manager requirements established in HB 2185 (2019) to all contracts entered into, renewed, or extended on or after January 1, 2021, and contracts automatically renewed on or after January 1, 2023. SB 1529 A also allows the Oregon Health Authority to declare a health care emergency and to deploy SERV-OR volunteers.