



Open Government Impact Statement

82nd Oregon Legislative Assembly
2023 Regular Session

Measure: SB 404 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Requires pharmacy benefit managers and group purchasing organizations to annually report to Department of Consumer and Business Services information relating to prices, rebates, fees and similar information.

Requires Prescription Drug Affordability Board to develop plan for establishing upper payment limits on certain drugs and to conduct specified analyses regarding establishing upper payment limits.

Requires prescription drug manufacturers to separately report to department price and other information regarding certain prescription drugs each calendar year.
Increases and modifies membership of board.

Requires department to report to board list of drugs that increased in price and were required to be reported to department.

Modifies fees paid to department by prescription drug manufacturers.

Requires insurers to separately report annually to department specified information regarding prescription drugs covered by insurers.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure prohibits the public disclosure of the report, and any information contained therein, that a pharmacy benefit manager or a group purchasing organization operating in this state files with the Department of Consumer and Business Services containing the aggregate dollar amount of rebates, fees, price protection payments and any other payments the pharmacy benefit manager or group purchasing organization received from a manufacturer regarding prescription drugs. The measure also prohibits the public disclosure of personally identifiable information of a consumer that notifies the department of an increase in the price of a prescription drug.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public might be able to receive prescription drug pricing information and personally identifiable information of individuals reporting prescription drug price increases to the department.