

HB 3258 B STAFF MEASURE SUMMARY**Carrier:** Sen. Campos**Senate Committee On Health Care****Action Date:** 05/17/23**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 3-0-1-2**Yeas:** 3 - Campos, Patterson, President Wagner**Exc:** 1 - Gorsek**Abs:** 2 - Bonham, Hayden**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Daniel Dietz, LPRO Analyst**Meeting Dates:** 5/10, 5/17**WHAT THE MEASURE DOES:**

Expands Oregon's Prescription Drug Monitoring Program (PDMP) to include drugs classified as schedule V under the federal Controlled Substances Act. Directs the Oregon Health Authority (OHA) to contract with an information technology services vendor to provide secure communications between prescribers and pharmacies that participate in Oregon's PDMP. Requires a pharmacist, when filling a prescription for a controlled substance on behalf of an animal, to report the species, name, and sex of the animal to OHA. Allows the pharmacist to review prescription monitoring information about the animal and the individual who fills the prescription on behalf of the animal. Allows the pharmacist to share prescription monitoring information with the prescriber or a member of the prescriber's staff. Allows OHA to disclose prescription monitoring information, to the minimum extent necessary to fulfill the purposes of the program, with the director and staff of the state medical assistance program and prescription drug program, and with the Centers for Medicare and Medicaid Services. Specifies that OHA may not disclose prescription drug monitoring information to a veterinarian. Specifies that naloxone, pseudoephedrine, and ephedrine are not subject to prescription monitoring. Takes effect on 91st day following adjournment sine die, with monitoring requirements related to animals becoming operative on January 1, 2025.

ISSUES DISCUSSED:

- Existing mechanisms to prevent abuse of veterinary prescriptions
- Potential for misuse of prescription monitoring information
- Privacy implications for consumers, including those with pain management needs
- Provisions of the measure

EFFECT OF AMENDMENT:

Removes provisions adding a veterinarian to the Prescription Monitoring Program Advisory Commission and allowing the Oregon State Veterinary Medical Examining Board to adopt rules regarding prescription monitoring.

BACKGROUND:

Oregon's Prescription Drug Monitoring Program (PDMP) was established by the Legislative Assembly in 2011 with the goal of reducing the number of deaths in Oregon related to controlled substances, including the misuse of prescription drugs. The program requires pharmacies to submit prescription data to the PDMP system for all schedule II, III and IV controlled substances, gabapentin, and naloxone. Licensed health care providers access the PDMP system to determine appropriate medications to prescribe.

Beginning in 2018, the Secretary of State's Oregon Audits Division has recommended inclusion of veterinarians in the PDMP as a strategy to limit opioid misuse and abuse ([link](#) to 2018 report). The Audits Division found that the Oregon Veterinary Medical Examining Board's monitoring of controlled substances needs to be strengthened ([link](#)

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to 2019 report), and that including veterinarian prescriptions in the PDMP would provide insight about prescribing habits and pet owners obtaining controlled substances ([link](#) to 2022 report).

House Bill 3258 B expands Oregon's prescription drug monitoring program (PDMP) to include drugs classified as schedule V, requires a pharmacist, when filling a prescription for a controlled substance on behalf of an animal, to report the species, name, and sex of the animal to the Oregon Health Authority (OHA), and directs OHA to contract with a vendor to provide secure communication between pharmacists and prescribers.