House Bill 2574

Sponsored by Representatives GRAYBER, NOSSE, Senator LIEBER; Representatives NELSON, REYNOLDS, Senator PATTERSON (at the request of Cascade AIDS Project) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires hospitals to adopt policies and procedures to ensure provision of human immunodeficiency virus post-exposure prophylactic drugs or therapies following patient’s possible exposure to human immunodeficiency virus.

Requires Oregon Health Authority to prescribe by rule formula to determine number of five-day supplies of prophylactic drugs or therapies needed by type A and type B hospitals and to provide that number of five-day supplies of prophylactic drugs or therapies to each type A and type B hospital at no cost to hospital.

Prohibits health benefit plan from imposing copayments, coinsurance or other cost-sharing on coverage of human immunodeficiency virus post-exposure prophylactic drugs or therapies following enrollee’s possible exposure to human immunodeficiency virus.

A BILL FOR AN ACT

Relating to post-exposure prophylaxes; creating new provisions; and amending ORS 743B.425.

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

SECTION 1. (1) A hospital licensed under ORS 441.025 must:

(a) Adopt a policy for the prescribing and dispensing of a five-day supply of human immunodeficiency virus post-exposure prophylactic drugs or therapies following a patient’s possible exposure to human immunodeficiency virus.

(b) Have procedures in place to ensure the hospital staff's ability to prescribe and dispense five-day supplies of human immunodeficiency virus post-exposure prophylactic drugs or therapies in accordance with the hospital policy adopted under paragraph (a) of this subsection.

(2) The hospital policy adopted under subsection (1) of this section must align with guidelines issued by the Centers for Disease Control and Prevention.

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

(a) “Type A hospital” means a rural hospital described in ORS 442.470 (6)(a)(A).

(b) “Type B hospital” means a rural hospital described in ORS 442.470 (6)(a)(B).

(2) The Oregon Health Authority shall prescribe by rule a formula to determine the total number of five-day supplies of human immunodeficiency virus post-exposure prophylactic drugs or therapies needed by a type A or type B hospital for the hospital to comply with section 1 of this 2023 Act.

(3) At intervals determined by the authority, the authority shall provide to each type A and type B hospital in this state, at no cost to the hospital, the number of five-day supplies of human immunodeficiency virus post-exposure prophylactic drugs or therapies determined in accordance with rules adopted under subsection (2) of this section.

SECTION 3. ORS 743B.425 is amended to read:

743B.425. (1) An insurer offering a health benefit plan as defined in ORS 743B.005 may not:

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.
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(a) Require prior authorization:
   (A) During the first 60 days of treatment, including medication therapy, prescribed for opioid
       or opiate withdrawal; or
   (B) For post-exposure prophylactic antiretroviral drugs or at least one preexposure prophylactic
       antiretroviral drug; [or]
   (b) Restrict the reimbursement for medication therapies, preexposure prophylactic antiretroviral
       drugs or post-exposure prophylactic antiretroviral drugs to in-network pharmacists or
       pharmacies[.]; or
   (c) Require a copayment, coinsurance or other cost-sharing for the coverage of five-day
       supplies of human immunodeficiency virus post-exposure prophylactic drugs or therapies
       prescribed following a possible exposure to human immunodeficiency virus.

(2) This section is not subject to ORS 743A.001.
(3) This section does not prohibit prior authorization for opioids or opiates prescribed for pur-
   poses other than medication therapy or treatment of opioid or opiate abuse or addiction.
(4) Subsection (1)(b) of this section does not apply to a health maintenance organization as de-
   fined in ORS 750.005.

SECTION 4. The amendments to ORS 743B.425 by section 3 of this 2023 Act apply to
health benefit plans issued, renewed or extended on or after the effective date of this 2023
Act.