

# House Bill 4131

Sponsored by Representatives PHAM H, NOSSE, RIEKE SMITH, Senator PATTERSON; Representatives ANDERSEN, GAMBA, GOMBERG, HARBICK, HARTMAN, ISADORE, LEVY B, MCDONALD, MUNOZ, NELSON, WALLAN, WATANABE, WISE, Senators CAMPOS, FREDERICK, GOLDEN, MEEK, NERON MISSLIN, REYNOLDS, SMITH DB, SOLLMAN, WEBER (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says the BOP has to give a license to run a mobile pharmacy to someone who meets the requirements. (Flesch Readability Score: 64.6).

Directs the State Board of Pharmacy to issue a license to operate a mobile pharmacy to a qualified applicant. Establishes requirements for a mobile pharmacy.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to mobile pharmacies; and prescribing an effective date.

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

**SECTION 1.** Section 2 of this 2026 Act is added to and made a part of ORS chapter 689.

**SECTION 2.** (1) The State Board of Pharmacy shall issue a license to operate a mobile pharmacy to an applicant that is a retail drug outlet registered under ORS 689.305 with a permanent physical location and that:

(a) Is one of the following entities:

(A) A critical access pharmacy, as defined by the Oregon Health Authority by rule;

(B) A hospital, as defined in ORS 442.015;

(C) A federally qualified health center; or

(D) The governing body of a county;

(b) Pays the licensure fee established by the board by rule; and

(c) Meets any other requirements established by the board by rule.

(2) A mobile pharmacy licensed under this section shall:

(a) Have at least one pharmacist physically present at the mobile pharmacy during the mobile pharmacy's hours of operation;

(b) Maintain records of the drugs transferred from the retail drug outlet's permanent location to the mobile pharmacy and of the drugs dispensed from the mobile pharmacy;

(c) Record in the retail drug outlet's records the drugs dispensed from the mobile pharmacy within 24 hours of dispensation;

(d) Store drugs in a manner that prevents diversion and meets any storage requirements specified by the drug manufacturer;

(e) Store all drugs, devices and related supplies in compliance with requirements adopted by the board by rule;

(f) Store and handle any controlled substances in compliance with requirements established by the Drug Enforcement Administration of the United States Department of Justice

**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.

1 relating to the storage of controlled substances by mobile pharmacies and with any rules  
2 adopted by the board;

3 (g) Establish and maintain a patient communication plan to ensure that a patient may  
4 access refills of the patient's prescription drugs in the event that the mobile pharmacy is  
5 unavailable at the time when the patient requires refills; and

6 (h) Establish and maintain a communication plan with each governing body of the local  
7 public health authority, as defined in ORS 431.003, with jurisdiction over each area in which  
8 the mobile pharmacy operates to ensure the pharmacist at the mobile pharmacy complies  
9 with any reporting requirements of the local public health authority regarding communicable  
10 diseases.

11 (3) A mobile pharmacy may not:

12 (a) Operate in the same physical location for more than 10 consecutive days per period  
13 determined by the board by rule.

14 (b) Operate for more than 14 consecutive days per period determined by the board by rule  
15 within the same five-mile radius.

16 (4) The board shall adopt rules to carry out this section. The rules adopted under this  
17 section:

18 (a) Must require the board to issue a license to a qualified applicant under this section  
19 no later than 60 days after the date on which the board receives the application.

20 (b) Must create exceptions to the limitations described in subsection (3) of this section  
21 for declared public health emergencies and declared states of emergency related to natural  
22 disasters affecting the area in which a mobile pharmacy operates.

23 (c) May allow a mobile pharmacy to operate at the same location as a mobile dental  
24 service.

25 (5) Moneys from fees collected under this section shall be deposited in the State Board  
26 of Pharmacy Account established under ORS 689.139.

27 **SECTION 3.** (1) Section 2 of this 2026 Act becomes operative on January 1, 2027.

28 (2) The State Board of Pharmacy may take any action before the operative date specified  
29 in subsection (1) of this section that is necessary to enable the board to exercise, on and  
30 after the operative date specified in subsection (1) of this section, all of the duties, functions  
31 and powers conferred on the board by section 2 of this 2026 Act.

32 **SECTION 4.** This 2026 Act takes effect on the 91st day after the date on which the 2026  
33 regular session of the Eighty-third Legislative Assembly adjourns sine die.