

OSPA Legislative Update (3/23/15)

A lot can happen in a week! The most active legislation is below and any updates appear in italics in the extended discussions at the bottom of this email.

The absence of italicized text indicates that no substantive discussions were held in the past week.

If you have comments regarding legislation, simply respond by email to info@oregonpharmacy.org. The OSPA Executive Committee will receive all comments and respond in a timely manner if requested.

The most active legislation is listed below, [click on any one description](#) to jump to a more complete discussion.

[SB 520: Extends Age for Pharmacist Immunization Down to Age Seven](#)

[HB 2028: Establishes Provider Status for Pharmacists and Explains Clinical Pharmacy Services](#)

[SB 93: Establish Equal Rules for Dispensing of Chronic Medications](#)

[SB 148: Addition of a Technician Member to the Board of Pharmacy](#)

[SB 71 and 626: Increased Reporting Requirements to PDMP](#)

[HB 2875: Enhancements to PBM Statute \(2123\) Passed in 2013](#)

[SB 147: Regulation of Biosimilar Substitution](#)

[*Extended discussion of legislation above***](#)**

(Additional legislation is being tracked by the legislative counsel and legislative committee. For a full listing, and text of actual bills proposed, use the bill tracking tool described below.)

SB 520: Extends Age for Pharmacist Immunization Down to Age Seven

It proposed to lower the age for which pharmacists can administer immunizations from age 11 to age 7. Concerns have been raised related to assuring that pharmacists, pharmacies, and corporate policies are updated to assure protections for patients and pharmacists. The majority of OSPA Board and the Pharmacy Coalition members believe that this bill extends the professions commitment to public health initiatives and that concerns can be adequately addressed through Board of Pharmacy regulation. OSPA and the Pharmacy Coalition support passage.

Testimony in support of passage was provided at a hearing on Wednesday and the bill was moved out of committee in tact with a 'do pass' recommendation. [Click here to access testimony being used on the senate floor.](#) An article published in the Lund report can be accessed at this site: <https://www.thelundreport.org/content/senate-health-moves-let-pharmacists-vaccinate-more-children>

HB 2028: Establishes Provider Status for Pharmacists and Explains Clinical Pharmacy Services

The top association priority entering this legislative session, this bill establishes provider status for pharmacists, clarifies the provision of clinical pharmacy services (CPS) and allows payment for the same, and defines CPS as provided under clinical service agreements or under protocol from Oregon Health Authority. An initial work session went well and a hearing is scheduled for the coming week. OSPA and the Pharmacy Coalition are actively working for passage of this bill. Click on the following links for explanatory statements to be used in discussions related to this bill. [CPS Explanatory Statement](#) - and - [HB 2028 Statement](#).

A hearing on this bill was held last Monday with a generally positive reception. A couple suggestions for amendments have been offered. It is hoped that they will be addressed in discussions in the coming week. The OMA continues to be neutral at this time and we continue to keep them in all conversations, but as requested earlier this week, it will be very helpful if you can facilitate physicians that value your contributions in communicating that with the healthcare committee and their local representative. PhARMA has submitted a statement in opposition, largely around their perception that this is an expansion of pharmacy scope of practice and that pharmacists are not educated to provide direct patient care. We are working to educate legislators about current pharmacy education and existing pharmacy roles.

SB 93: Establish Equal Rules for Dispensing of Chronic Medications

This bill would require PBMs to allow all pharmacies to fill prescriptions for chronic medications for 60 days, not only mail order or preferred networks. The original bill is proposed to be amended to allow a 90 day fill. OSPA and the Pharmacy Coalition support this bill and have asked for your help in contacting your senator to support the amendment and get it moving out of committee. [Click here to access the explanatory statement](#).

This bill is starting to move forward and your assistance in contacting senators, as requested earlier, has been appreciated. We are working to assure that the current amended bill moves forward without additional push back or change.

SB 148: Addition of a Technician Member to the Board of Pharmacy

This has gone through several iterations. The association's position has been that a single technician added is desirable, but opposes two being added as has been proposed in amendments. There are ongoing negotiations on amendments and the final version is still unclear.

A final version of this bill is still being discussed and should be clarified this week.

SB 71 and 626: Increased Reporting Requirements to PDMP

Initially SB 71 would have required a 24 hour turn around on the time for pharmacies to report to PDMP, which was considered unworkable by OSPA leadership given current technology. Negotiations have modified this to a 72 hour window. OSPA and the Pharmacy Coalition have agreed to a neutral position on the bill with the amendments described. SB 626 addresses a number of other concerns around PDMP, including requirements for physicians using PDMP proactively. Although it is possible some aspects of SB 626 may be moved to SB 71, SB 626 currently does not involve pharmacy and so no position has been taken.

HB 2875: Enhancements to PBM Statute (2123) Passed in 2013

Introduced initially by the Pharmacy Coalition to serve as a vehicle to tighten implementation of the breakthrough PBM legislation passed with the support of the association in 2013 (HB2123). A small work group is currently working to identify the most significant concerns related to PBMs working to avoid the intent of the legislation. Amendments to create a bill to move forward will hopefully be identified in the coming weeks.

Amendments to this bill are being worked on this week and it is hoped the end of the week will yield a complete overhaul with specific suggestions to enhance implementation of the bill passed two years ago.

SB 147: Regulation of Biosimilar Substitution

Introduced to regulate and, in essence, restrict substitution rules for biosimilars. Considered by OSPA to be unnecessary, as regulations already exist to regulation substitution and this bill would institute unneeded roadblocks. OSPA and the Pharmacy Coalition are actively opposing this bill. [Click here to access testimony presented on behalf of the associations.](#)

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You may track all of the bills being followed by our legislative counsel and legislative committee, and see the original bill text and current status, using the bill tracking software. [Click here to access bill tracking.](#)