

Senate Bill 951

Sponsored by Senators KNOPP, KRUSE

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 insurers offering health benefit plans to provide coverage for abuse-deterrent opioid analgesic drug products. Defines terms.

A BILL FOR AN ACT

1 Relating to opioids.

2 Whereas the Legislative Assembly finds that the abuse of opioids is a serious problem that af-
3 fects the health, social and economic welfare of this state; and

4 Whereas an estimated 2.1 million people in the United States suffered from substance use dis-
5 orders related to prescription opioid pain relievers in 2012; and

6 Whereas the number of unintentional overdose deaths from prescription opioid pain relievers
7 has more than quadrupled since 1999; and

8 Whereas it is imperative for people suffering from pain to receive necessary treatment while
9 minimizing the potential for negative consequences; now, therefore,

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

11 **SECTION 1. Sections 2 to 4 of this 2017 Act are added to and made a part of the Insur-**
12 **ance Code.**

13 **SECTION 2. As used in sections 2 to 4 of this 2017 Act:**

14 (1) "Abuse-deterrent opioid analgesic drug product" means a drug product that contains
15 an opioid agonist and may contain other substances, is indicated by the United States Food
16 and Drug Administration for the treatment of pain and is manufactured to possess proper-
17 ties intended to deter abuse.

18 (2) "Cost sharing" includes copayments, coinsurance and deductibles.

19 (3) "Health benefit plan" has the meaning given that term in ORS 743B.005.

20 (4) "Opioid analgesic drug product" means a drug product that contains an opioid agonist
21 and may contain other substances, and that is indicated by the United States Food and Drug
22 Administration for the treatment of pain.

23 **SECTION 3. (1) An insurer offering a health benefit plan shall include on the drug**
24 **formulary for the plan at least one abuse-deterrent opioid analgesic drug product per opioid**
25 **analgesic active ingredient.**

26 (2) A health benefit plan may not impose cost sharing for brand name abuse-deterrent
27 opioid analgesic drug products that exceeds the lowest cost sharing applied to brand name
28 prescription drugs included on the drug formulary for the plan.

29 (3) A health benefit plan may not impose cost sharing for generic abuse-deterrent opioid
30 analgesic drug products that exceeds the lowest cost sharing applied to generic prescription
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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 **drugs included on the drug formulary for the plan.**

2 **(4) A health benefit plan may not impose higher cost sharing or other disincentives to**
3 **dispensing or prescribing abuse-deterrent opioid analgesic drug products.**

4 **SECTION 4. (1) A health benefit plan may not require an insured to first use an opioid**
5 **analgesic drug product before the plan provides coverage for an abuse-deterrent opioid**
6 **analgesic drug product.**

7 **(2) Coverage described in this section may be subject to utilization review requirements**
8 **imposed on all opioid analgesic drug products with the same type of drug release mechanism.**

9 **SECTION 5. The requirements of sections 3 and 4 of this 2017 Act apply to health benefit**
10 **plan policies and certificates issued or renewed on or after the effective date of this 2017 Act.**

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