

DPT RAC meeting

Lily Sobolik, senior policy advisor
June 2, 2026



Department of Consumer
and Business Services

Welcome and agenda

- Introductions
- Process overview and background
- Review and discuss draft rules
- Public comment
- Next steps

Committee roster and introductions

- **Charlie Fisher** – OSPIRG and OCAP
- **Dharia McGrew** – PhRMA
- **Gregory Halen** – Par Health
- **Lynetta Moore** – Integrichain
- **Madonna McGuire Smith** – Pacific Northwest Bleeding Disorders
- **Melody Calkins** – BIO and BIO Oregon
- **Mike Leone** – Resilia Pharmaceuticals
- **Samantha Kirkland** – Two Labs
- **Tim Litten** – Bausch Health

Housekeeping

- Video off, line muted if not speaking
- Raise hands to speak
- Chat is open
- Time reserved for public comment
- Request for written comment

Rulemaking overview

- Rule definition per ORS 183.310(9):
 - Any agency directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy...
- Has weight of law
- Must be consistent with statute

Rulemaking overview (cont'd)

- Role of advisory committee
 - Represent interests of those likely to be affected by rules
 - Provide advice and recommendations
- Adoption process
 - Notice
 - Public comment
 - Public hearing

Revisions overview

- General updates
 - Make February 2026 temporary rules permanent
 - Citations
- Updates annual price increase section
 - Aligns with 2024 rulemaking changes
 - Simplifies reporting by formalizing already required data elements
 - Adds clarifying language

Temporary rules made permanent (OARs 836-200-0515, -0530)

- February 2026 temporary rulemaking aligned rules with Ninth Circuit opinion in PhRMA v. Stolfi
 - Temporary rulemaking conducted due to legislative session and reporting timing
- Reverts voluntary data collection language back to mandatory reporting language and timeframe
 - Resumes mandatory collection of required price increase reports from manufacturers, due March 15 annually

Annual price increase updates

- Aligns with new prescription drug changes
 - Creates separate section (OAR 836-200-0533) like 2024 updates
 - Similar language re: factors contributing to price increases
- Collects new data from manufacturers
 - Already used by manufacturers for currently reported data
 - Allows for staff verification
 - Provides more transparency
- Clarifies some concepts
 - reporting year
 - health care professionals
 - net profit or loss

Citation updates

- Creation of new rule required citation updates throughout
 - Update from OAR 836-200-0530(2) to OAR 836-200-0533
- OARs updated:
 - 836-200-0515
 - 836-200-0532
 - 836-200-0535
 - 836-200-0545
 - 836-200-0555

Specific questions

- Formal definition needed for “reporting year” terminology? Or different terminology?
- Any clarification or definition needed for the use of “changes” in 836-200-0533(1)(i)?
- Missing any citation updates?
- Other clarifications or alignment needed?

Public comment

Next steps

- Written comments due – Close of business on June 12
- Next meeting (tentative)– June 25, 10:30 a.m. to noon
- Division contacts:

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