

October 19, 2021

State of Oregon
Division of Financial Regulation
Department of Consumer & Business Services
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To the Committee of Review:

On behalf of Boehringer Ingelheim (BI), I submit these comments in response to the Department of Consumer & Business Services Committee's rulemaking regarding the Licensing of pharmaceutical representatives as specified in SB 763.

Boehringer Ingelheim is a family-owned, research driven pharmaceutical company with about 50,000 employees globally. For more than 150 years, Boehringer Ingelheim (BI) has been committed to the research and development of innovative medicines that improve animal and human lives.

We respectfully submit these comments in an effort to support our compliance with the new pharmaceutical representative licensing law.

Duration of Interaction

The draft regulations require reporting of the duration of interactions with health care providers. It is very challenging to report the duration of any particular interaction given the variability and number of interactions in a day. Instead we suggest reporting that the interaction occurred instead of tracking the amount of time of each interaction.

Reporting Requirements

The draft regulations request a licensee report items of value including number and value of product samples provided to health care professionals. However, the Affordable Care Act speaks directly to this issue including federal reporting requirements. We respectfully suggest modifying the regulations so that they comply with existing Federal law and not require a value to be assigned to a product sample. A similar concern was addressed in Vermont by stating that reporting does not apply to information that falls within the scope of the existing federal requirements. This issue is also addressed by PhRMA's comments submitted in response to these draft regulations.

Reporting Structure

In an effort to ensure accuracy and consistency, with all transparency reporting, BI respectfully suggests allowing licensee’s employers to submit the required information on their behalf. As the Committee suggests this could be accomplished by allowing a licensee to assign the process to their designee.

Continuing Education

Finally, BI also respectfully suggests allowing employers to offer continuing education (CE) programs directly to their employees. Allowing employers to offer CE programs directly to employees will streamline the process and help ensure employee compliance. We are happy to discuss this further as the program develops.

BI prides itself as a trusted resource for public policy leaders. We welcome further conversation on these comments if it is helpful. Please reach out to me directly at jennifer.herz@boehringer-ingelheim.com.

Best regards,
Jennifer Herz
Director – State Government Affairs