

From: [Murray, Anne](#)
To: [GRIFFITH Numi L * DCBS](#)
Cc: [Murray, Anne](#)
Subject: SB 763 RAC
Date: Tuesday, February 1, 2022 2:45:30 PM
Attachments: [image001.png](#)

Good afternoon, Numi –

As promised, restating concerns raised at a couple of our prior RAC meetings regarding Oregon reporting requirements being duplicative of the [ACA's](#) requirements. Sunshine provisions begin on pg 571 and state preemption on pg 575, followed by exceptions which would not appear to apply in the situation at hand. Also providing a link to [CMS's final rule](#) which includes additional details around reporting requirements, what's a transfer of value, and exceptions. See also PhRMA's RAC comment letters dated 10/18/21 and 02/01/22.

Also, still hoping to obtain the email communication between QPharma and the FDA regarding samples. I don't believe that has been distributed to the RAC yet. If I missed it, please let me know. Finally, the definition of "HCP" in the bill specifies persons licensed . . . to "prescribe, provide or dispense pharmaceutical products to patients", but the provider drop-down in the reporting template includes LCSW and LCP, neither of which are authorized (to my knowledge) to prescribe, provide or dispense pharmaceuticals. We'd appreciate your review of the list of specified providers to ensure they are included in compliance with the enacted law. And as there have been a few versions of the template posted to date, I assume the FINAL version will be labeled as such? As we're working to develop our master, it would be very helpful to know when DFR expects to have a final reporting template posted.

Thanks very much,

Anne

Anne E. Murray | *US Policy & Government Affairs*
State Government Affairs
Pacific Region: AK ID HI OR WA
(c) 503.508.3448



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