



October 15, 2018

TO: Jesse Ellis O'Brien
Senior Policy Analyst
Oregon Department of Consumer and Business Services
Division of Financial Regulation

FR: Courtney Helstein
On behalf of the Oregon Coalition for Affordable Prescriptions

Dear Mr. O'Brien,

Thank you for the opportunity to provide comment on the preliminary draft rules for HB 4005. As a member of the Rules Advisory Committee and representative for the Oregon Coalition for Affordable Prescriptions, I would like to emphasize a few key provisions that are in the draft that we see as critical to the intent and effective implementation of HB 4005.

1. Having all manufacturers register with DCBS, even if they are not required to submit any reports will be key to understanding the overall landscape of price increases across the industry. Having reporting-eligible manufacturers provide a written attestation that they are not required to report will encourage robust internal investigations by pharmaceutical manufacturers to ensure the accuracy of the attestations, as to avoid any civil penalties.
2. Including information regarding manufacturer sponsored patient assistance programs and those of independently operated patient assistance programs in reporting requirements is a key element to ensuring true transparency. If reporting requirements for independently operated patient assistant programs were omitted, pharmaceutical manufacturers would be incentivized to direct more and more funding to these programs to avoid reporting. This would make it more difficult to gain a clear understanding of how these programs impact health care costs across the supply chain.
3. The proposed fee structure strikes a good balance between holding manufacturers who push excessive prices increases accountable and ensuring that DCBS can effectively carryout the requirements of HB 4005. Some pharmaceutical manufactures expressed

concern over price increases if DCBS enacted a universal fee. So far this year, the top 10 biotech and pharma manufacturers have made a combined \$88.6 billion in net income¹. Given their immense profits and that the fees would be only a portion of the \$425,022 that DCBS was allotted to implement HB 4005, it is difficult to see how pharmaceutical manufacturers could use the proposed fee structure to justify price increases.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in blue ink that reads "Courtney Helstein". The signature is written in a cursive style with a large initial "C" and a vertical line extending downwards from the end of the name.

Courtney Helstein

¹ <https://www.statista.com/statistics/272720/top-global-biotech-and-pharmaceutical-companies-based-on-net-income/>