

**From:** Lane, Megan A [<mailto:Megan.Lane@providence.org>]  
**Sent:** Tuesday, October 16, 2018 4:36 PM  
**To:** OBRIEN Jesse E \* DCBS  
**Subject:** HB 4005 feedback

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Hi Jesse,

I hope you are well. Below please see the issues and requests for clarification that I raised during the last stakeholder meeting. Please let me know if you have questions or would like to discuss.

1. Rebate or other price concession
  - a. We recommend that DFR clarify “rebate or other price concessions” in 836-053-0473 (2)(I) to ensure that carriers report the requested information uniformly. We recommend using the term “direct and indirect remuneration” as defined by CMS instead of “rebate or other concessions”.
  - b. Direct and indirect remuneration includes discounts, charge backs or rebates, cash discounts, free goods contingent on a purchase agreement, up-front payments, coupons, goods in kind, free or reduced-price services, grants, or other price concessions or similar benefits offered to some or all purchasers from any source. See 42 C.F.F 423.308. link here: <https://www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol3/pdf/CFR-2011-title42-vol3-sec423-308.pdf>
2. Prescription drug costs
  - a. We recommend that DFR clarify whether carriers are to include both outpatient Rx drug costs that roll up to the Rx benefit and inpatient Rx drug costs that roll up to the medical benefit in the reporting required by 836-053-0473 (I). We recommend including both outpatient and inpatient Rx drug costs to provide a more accurate picture of Rx costs in Oregon.
3. Drug
  - a. Drugs are identified by a National Drug Code (NDC). This code is 10 digits, broken into 3 segments. The first segment is the labeler or manufacturer, the second segment is the product (dosage and strength) while the third segment is the package (size and type).
  - b. We recommend that DFR clarify that the information that carriers are required to report in 836-053-0473 (I) is intended to capture data at the labeler or manufacturer level. This ensures that carriers report the information in a uniform and useful manner.

Thank you,

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