

February 1, 2019

TO:

Jesse O'Brien
Senior Policy Analyst
Oregon Department of Consumer & Business Services
Division of Financial Regulation
350 Winter St. NE
Salem, OR 97301

FROM:

Mark O. Griffith
Health Care Advocate
OSPIRG

**BY Electronic Submission TO: Jesse.E.Obrien@Oregon.gov and
Karen.J.Winkel@oregon.gov**

**RE: HB 4005 Rulemaking Advisory Committee, Comments on Draft Rules Dated
September 24, 2018**

Dear Mr. O'Brien,

OSPIRG appreciates the opportunity to provide our support for the proposed rules for the Prescription Drug Price Transparency Act (HB 4005, 2018). As a consumer advocacy organization with tens of thousands of citizen members throughout the state of Oregon, we are committed to help the Department of Consumer and Business Services ("DCBS") implement HB 4005 as it was intended, exposing valuable information about the factors influencing prescription drug pricing to public scrutiny.

We'd 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. This includes maintaining the current definition in the draft of "Net Yearly Increase," which we view as the best available option to accurately capture price trends within the language of the statute. We also encourage DCBS to maintain a robust review process to determine whether the information reported by manufacturers as trade secret is actually entitled to that protection, leaving open the possibility of disclosing protected information when it is required by the public interest.

The draft rules proposed by DCBS reflect a careful consideration of the extensive conversations of the Rulemaking Advisory Committee that met throughout Fall 2018. OSPIRG encourages

DCBS to maintain the strong standards they have set in these draft rules, without weakening the current language to meet industry demands that do not reflect the intent of HB 4005 or serve the public interest.

We believe that transparency is an essential component of lowering what manufacturers charge for medications and are committed to ensuring HB 4005 is implemented as intended, exposing the factors influencing prescription drug pricing to public scrutiny and for the benefit of Oregon patients and consumers.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark O. Griffith', with a long horizontal line extending to the right.

Mark O. Griffith