

House Bill 2252

Sponsored by Representative WALLAN (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Says that a person that wants to get the right to do business dealing with claims for drug benefits under a health plan must show that the person is not owned or run by an insurer. (Flesch Readability Score: 62.1).

Requires a person that intends to register to do business in this state as a pharmacy benefit manager to demonstrate to the satisfaction of the Director of the Department of Consumer and Business Services that the person is not owned or operated by an insurer or an affiliate of an insurer. Applies the requirement to renewals of registration beginning January 1, 2031.

A BILL FOR AN ACT

1
2 Relating to conditions that apply to registration as a pharmacy benefit manager; creating new provisions; and amending ORS 735.532.

3
4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 735.532, as amended by section 4, chapter 87, Oregon Laws 2024, is amended
6 to read:

7 735.532. (1) A person may not transact business or purport to transact business in this state as
8 a pharmacy benefit manager unless the person has a license to transact business as a pharmacy
9 benefit manager issued by the Department of Consumer and Business Services.

10 (2) To obtain a license under this section, a person must:

11 (a) Submit an application to the department on a form prescribed by the department by rule.

12 (b) Pay a fee in an amount adopted by the department by rule.

13 (c) **Demonstrate in the application described in paragraph (a) of this subsection, with
14 evidence acceptable to the Director of the Department of Consumer and Business Services,
15 that the person is not owned or operated by an insurer or an affiliate of an insurer on behalf
16 of which the person would perform services that are subject to ORS 735.530 to 735.532. For
17 the purposes of this paragraph, "affiliate" means a person that controls, is controlled by or
18 is under common control with another person.**

19 (3) A license to transact business as a pharmacy benefit manager must be renewed every 12
20 months. To renew a license under this subsection, a pharmacy benefit manager must pay a renewal
21 fee in an amount adopted by the department by rule.

22 (4) The department shall deposit all moneys collected under this section into the Consumer and
23 Business Services Fund created in ORS 705.145.

24 (5) Any fee adopted by the department under this section must be sufficient to pay the
25 department's reasonable costs in administering ORS 735.530 to 735.552.

26 **SECTION 2.** ORS 735.532, as amended by section 4, chapter 87, Oregon Laws 2024, and section
27 1 of this 2025 Act, is amended to read:

28 735.532. (1) A person may not transact business or purport to transact business in this state as

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 a pharmacy benefit manager unless the person has a license to transact business as a pharmacy
2 benefit manager issued by the Department of Consumer and Business Services.

3 (2) To obtain a license under this section, a person must:

4 (a) Submit an application to the department on a form prescribed by the department by rule.

5 (b) Pay a fee in an amount adopted by the department by rule.

6 (c) Demonstrate in the application described in paragraph (a) of this subsection, with evidence
7 acceptable to the Director of the Department of Consumer and Business Services, that the person
8 is not owned or operated by an insurer or an affiliate of an insurer on behalf of which the person
9 would perform services that are subject to ORS 735.530 to 735.532. For the purposes of this para-
10 graph, “affiliate” means a person that controls, is controlled by or is under common control with
11 another person.

12 (3) A license to transact business as a pharmacy benefit manager must be renewed every 12
13 months. To renew a license under this subsection, a pharmacy benefit manager must pay a renewal
14 fee in an amount adopted by the department by rule **and make the demonstration described in**
15 **subsection (2)(c) of this section.**

16 (4) The department shall deposit all moneys collected under this section into the Consumer and
17 Business Services Fund created in ORS 705.145.

18 (5) Any fee adopted by the department under this section must be sufficient to pay the
19 department’s reasonable costs in administering ORS 735.530 to 735.552.

20 **SECTION 3. The amendments to ORS 735.532 by section 2 of this 2025 Act become oper-**
21 **ative on January 1, 2031.**