



## MEMORANDUM

May 26, 2006

To: John Shilts, Administrator WCD

From: Medical Advisory Committee  
ORS 656.794

Re: Proposed Rule OAR 436-010-0230(6)  
Dispensing of Prescription Medications from a Physician's Office

The committee discussed the proposed rule at their Friday May 19, 2006 meeting. We considered several aspects of the situation, such as, but not limited to:

- \* the lack of any data about whether there is a problem, and if so, the scope and aspects of it;
- \* worker safety regarding potentially harmful drug interactions that could occur because the prescribing physician may or may not be aware of other drugs the worker is taking;
- \* potentially and unnecessarily raising costs to the system for prescription medications due to repackaging or other potential processes that physicians could undertake;
- \* the appearance of "self-referral" and the potential appearance of conflict of interest.
- \* the recommendation of the Pharmacy Fee Task Force from several years ago to limit the supply provided to 10 days (current rule);
- \* the need for worker's to have an initial supply of antibiotics, or other urgent and acute needs of the worker to have prescription medication;
- \* the anecdotal reporting by some physicians that some of their patients do not always have the funds necessary to purchase medications, proper medication can facilitate early intervention and healing as well as early return-to-work;
- \* the potential to limit (or appearance of) where a worker can have their prescriptions filled.

**After discussion, the committee recommends the Director not adopt the proposed rule, and retain the permanent rule.**