

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3088

By COMMITTEE ON ELECTIONS, ETHICS AND RULES

June 23

1 On page 1 of the printed A-engrossed bill, delete lines 7 through 15 and insert:

2 **“SECTION 2. As used in this section and sections 3, 4 and 5 of this 2007 Act:**

3 **“(1) ‘Family income’ means the combined income of individuals who are:**

4 **“(a) Over 18 years of age;**

5 **“(b) Related by blood, marriage, domestic partnership or adoption; and**

6 **“(c) Living in the same residence and sharing a common space.**

7 **“(2) ‘Health benefit plan’ has the meaning given that term in ORS 743.730.**

8 **“(3) ‘Highest volume insurer’ means the insurer or third-party payer that has a contract**
9 **to pay claims for reimbursement of services provided by the hospital and that incurred the**
10 **greatest number of claims from the hospital in the previous calendar year.**

11 **“(4) ‘Hospital’ has the meaning given that term in ORS 442.015, exclusive of special in-**
12 **patient care and inpatient psychiatric facilities operated by the state.**

13 **“(5) ‘Income’ includes wages, salary, temporary assistance for needy families grants,**
14 **Supplemental Security Income, Social Security, unemployment compensation, child support,**
15 **alimony or other income that is regular and predictable.**

16 **“(6) ‘Uninsured’ means not receiving state medical assistance that covers hospital ser-**
17 **vices and not enrolled in Medicare or a health benefit plan.**

18 **“SECTION 3. (1) A hospital may not charge to or attempt to collect from an uninsured**
19 **patient whose family income is equal to or less than 350 percent of the federal poverty**
20 **guidelines an amount for a medically necessary service in excess of the amount paid to the**
21 **hospital for the same service by Medicare or the hospital’s highest volume insurer. A hos-**
22 **pital must choose one payer scale for all charges under this section.**

23 **“(2) In determining family income, a hospital may consider only income received in the**
24 **month preceding the date of service. If a family member earning income is unemployed on**
25 **the date of service or expected to be unable to work in the month following the date of ser-**
26 **vice, that member’s income from employment in the preceding month may not be considered.**

27 **“(3) In determining the number of individuals in a family for purposes of applying the**
28 **federal poverty guidelines, the patient’s family includes an individual who is related to the**
29 **patient by blood, marriage, domestic partnership or adoption and who is:**

30 **“(a) Living in the same residence and sharing a common space; or**

31 **“(b) A dependent residing out of the home to attend school.**

32 **“(4) In determining family income under this section, a hospital:**

33 **“(a) Must make the determination based upon an estimate provided by the person re-**
34 **sponsible for paying for the hospital services;**

35 **“(b) May not require proof of income or a release of information to obtain income infor-**

1 **mation; and**

2 **“(c) May require the person responsible for paying for the hospital services to sign a**
3 **declaration under penalty of perjury that the estimate of income under paragraph (a) of this**
4 **subsection, to the best of the knowledge and belief of the person, is true, correct and com-**
5 **plete.”.**

6
