

House Bill 2580

Sponsored by Representative RAYFIELD; Representative OLSON (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**.

Exempts foster children and homeless youth from requirement to enroll in coordinated care organization in order to receive medical assistance.

A BILL FOR AN ACT

1
2 Relating to medical assistance; amending ORS 414.631.

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

4 **SECTION 1.** ORS 414.631 is amended to read:

5 414.631. (1) Except as provided in subsections (2), (3), (4) and (5) of this section and ORS 414.632
6 (2), a person who is eligible for or receiving health services must be enrolled in a coordinated care
7 organization to receive the health services for which the person is eligible. For purposes of this
8 subsection, Medicaid-funded long term care services do not constitute health services.

9 (2) Subsections (1) and (4) of this section do not apply to:

10 (a) A person who is a noncitizen and who is eligible only for labor and delivery services and
11 emergency treatment services;

12 (b) A person who is an American Indian and Alaskan Native beneficiary;

13 (c) An individual described in ORS 414.632 (2) who is dually eligible for Medicare and Medicaid
14 and enrolled in a program of all-inclusive care for the elderly; and

15 (d) A person whom the Oregon Health Authority may by rule exempt from the mandatory en-
16 rollment requirement of subsection (1) of this section, including but not limited to:

17 (A) A person who is also eligible for Medicare;

18 (B) A woman in her third trimester of pregnancy at the time of enrollment;

19 (C) A person under 19 years of age who has been placed in adoptive [*or foster*] care out of state;

20 (D) A person under 18 years of age who is medically fragile and who has special health care
21 needs;

22 (E) A person receiving services under the Medically Involved Home-Care Program created by
23 ORS 417.345 (1); [*and*]

24 (F) A person with major medical coverage;

25 (G) **A foster child, as defined in ORS 418.200; and**

26 (H) **A person under 21 years of age who is homeless.**

27 (3) Subsection (1) of this section does not apply to a person who resides in an area that is not
28 served by a coordinated care organization or where the organization's provider network is inade-
29 quate.

30 (4) In any area that is not served by a coordinated care organization but is served by a prepaid
31 managed care health services organization, a person must enroll with the prepaid managed care

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 health services organization to receive any of the health services offered by the prepaid managed
2 care health services organization.

3 (5) As used in this section, "American Indian and Alaskan Native beneficiary" means:

4 (a) A member of a federally recognized Indian tribe;

5 (b) An individual who resides in an urban center and:

6 (A) Is a member of a tribe, band or other organized group of Indians, including those tribes,
7 bands or groups whose recognition was terminated since 1940 and those recognized now or in the
8 future by the state in which the member resides, or who is a descendant in the first or second de-
9 gree of such a member;

10 (B) Is an Eskimo or Aleut or other Alaskan Native; or

11 (C) Is determined to be an Indian under regulations promulgated by the United States Secretary
12 of the Interior;

13 (c) A person who is considered by the United States Secretary of the Interior to be an Indian
14 for any purpose; or

15 (d) An individual who is considered by the United States Secretary of Health and Human Ser-
16 vices to be an Indian for purposes of eligibility for Indian health care services, including as a
17 California Indian, Eskimo, Aleut or other Alaskan Native.

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