

## **SB 887 STAFF MEASURE SUMMARY**

### **Senate Committee On Health Care**

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**Meeting Dates:** 3/27, 4/3, 4/8

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#### **WHAT THE MEASURE DOES:**

Requires insurers, Public Employees' Benefit Board (PEBB), and Oregon Educators Benefit Board (OEBB) to cover chiropractic care, acupuncture, and massage therapy services without prior authorization for initial visit and six follow-up visits. Defines "new episode of care" and "visit." Prohibits health insurers from requesting refund of a payment for a covered service previously made if the health insurer approved the treatment and confirmed coverage of the service with the health care provider.

*REVENUE: No revenue impact*

*FISCAL: Has minimal fiscal impact*

#### **ISSUES DISCUSSED:**

- Use of chiropractic care, acupuncture, and massage therapy for treatment of pain
- Impact of utilization management protocols on access to services
- Affordable Care Act prior authorization provisions
- Exemption of ERISA plans from state regulation

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

Through its Division of Financial Regulation, the Department of Consumer and Business Services (DCBS) is the state's primary regulator of all types of insurance companies, including health insurance companies. In 2015, the division regulated health insurers covering approximately 1 million Oregonians in the individual, small group, large group, and associations and trusts markets. An estimated 710,000 Oregonians were covered by self-insured employers, which are regulated by the federal government under the 1974 Employee Retirement Income Security Act (ERISA).

Oregon's Public Employees' Benefit Board (PEBB) contracts for and administers benefits for eligible state employees. PEBB provides medical and dental benefit for approximately 136,000 individuals (53,000 subscribers and 83,000 dependents). The Oregon Educators Benefit Board (OEBB) provides a comprehensive selection of benefit plan options for most of Oregon's K-12 school districts, education service districts and community colleges, as well as a number of charter schools and local governments across the state. OEBB currently provides benefits for almost 150,000 individuals, including actively employed and retired members and their families.

Health insurance policies and certificates may include prior authorization requirements that require approval of certain items or services before the insured can receive them.

Senate Bill 887 insurers, Public Employees' Benefit Board, and Oregon Educators Benefit Board to cover chiropractic care, acupuncture and massage therapy services without prior authorization for initial visit and six follow-up visits.

PRELIMINARY