

# Senate Bill 724

Sponsored by Senator THATCHER

## 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**.

Requires Oregon Health Authority to recover, within 60 days, all overpayments to coordinated care organizations.

Sunsets January 2, 2021.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to overpayments owed by coordinated care organizations; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) "Coordinated care organization" has the meaning given that term in ORS 414.025.

6 (b) "Global budget" has the meaning given that term in ORS 414.025.

7 (c) "Overpayment" means the amount of a global budget paid to a coordinated care or-  
8 ganization that exceeds the amount of a global budget for the coordinated care organization  
9 that:

10 (A) Is actuarially sound according to standards prescribed by the Centers for Medicare  
11 and Medicaid Services by rule and in effect on the date the global budget is paid; and

12 (B) Takes into account members of the coordinated care organization who are eligible for  
13 both Medicare and Medicaid.

14 (2)(a) Not later than 60 days after the effective date of this 2019 Act, the Oregon Health  
15 Authority shall recover all overpayments made to coordinated care organizations by the au-  
16 thority.

17 (b) The authority must recover an overpayment regardless of whether the Centers for  
18 Medicare and Medicaid Services approved the payment when the authority issued the pay-  
19 ment.

20 (c) The authority shall recover all overpayments without any deduction of any portion  
21 of the overpayment that may be owed by and recovered from the Centers for Medicare and  
22 Medicaid Services or any other third party.

23 **SECTION 2. Section 1 of this 2019 Act is repealed on January 2, 2021.**

24 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public  
25 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect  
26 on its passage.**

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**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.