

HB 2328 STAFF MEASURE SUMMARY

House Committee On Health Care

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Meeting Dates: 2/25

WHAT THE MEASURE DOES:

Adds further specification to prohibition on discrimination against health care providers by insurers in participation in or coverage under health benefit plan. Specifies that insurers may establish varying reimbursement rates based on quality or performance measures as long as the rates apply uniformly to all types of licensed or certified health care providers. Clarifies practices constituting unlawful discrimination against a health care provider. Requires Department of Consumer and Business Services (DCBS) to adopt rules no later than July 1, 2022 and report to the Legislative Assembly on the adoption of rules no later than July 5, 2022.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Patient Protection and Affordable Care Act (ACA) included provisions prohibiting health insurer from discriminating "with respect to participation under the plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable state law." The Department of Consumer and Business Services codified these nondiscrimination provisions in the Oregon Insurance Code through passage of House Bill 2468 (2015), which also established network adequacy requirements for individual and small group health insurance plan. These requirements are aimed at ensuring consumers receive appropriate care within a reasonable amount of time, can determine whether providers are included in specific networks, and can compare networks when shopping for plans.

House Bill 2328 provides additional specification on the prohibition on provider discrimination, including clarifying practices that would constitute unlawful discrimination against a health care provider by an insurer.