

Legislative Fiscal Office

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Joint Committee on Ways and Means

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To: Human Services Subcommittee

From: Ben Ruef, Legislative Fiscal Office

Date: June 16, 2021

Subject: HB 3046 – Relating to behavioral health treatment
Work Session Recommendations

HB 3046 requires each carrier that offers an individual or group health benefit plan that provides behavioral health benefits to conduct an annual analysis of nonquantitative treatment limitations for behavioral health benefits. Carriers must report to the Department of Consumer and Business Services (DCBS) each year on nonquantitative treatment limitations for mental health and substance use disorder, and applicable medical or surgical benefits. DCBS is required to report annually to the Legislative Assembly on carriers' treatment and services.

The measure also requires Coordinated care organizations (CCOs) to report to the Oregon Health Authority (OHA) each year on their compliance with mental health parity requirements. CCOs must demonstrate that the factors used to apply nonquantitative treatment limitations to mental health or substance use disorder treatment are comparable with factors used to apply nonquantitative treatment limitations to medical or surgical treatments in the same classification. OHA is required to report to the Legislative Assembly annually on OHA's finding on parity, and an assessment of behavioral health coverage.

This measure also further defines required behavioral health treatment requirements for CCOs, and group health insurance policies or individual health benefit plans. For CCOs, OHA is to adopt by rule a list of behavioral health services that may not be subject to prior authorization.

Amendment -A5 provides further guidance on patient scoring and assessment criteria citing Federal and State regulations.

The fiscal impact of this measure is \$708,708 Other Funds and 3 positions (3.00 FTE) in the 2021-23 biennium and \$896,073 Other Funds and an additional position (1.00 FTE) in the 2023-25 biennium. Other Funds are derived from the annual insurer premium assessment. The fiscal impact is the same with or without the -A5 amendment

The -A6 amendment adds \$708,708 Other Funds limitation to the DCBS budget for the 2021-23 biennium.

Recommended Changes

LFO recommends adoption of the -A5 and -A6 amendments.

Final Subcommittee Action

LFO recommends that HB 3046, as amended by the -A5 and -A6 amendments, to be moved to the Ways and Means Full Committee.

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____