



February 25, 2021

Rep. Rachel Prusak, Chair
House Committee on Health Care
Oregon State Capitol
900 Court Street, NE
Salem, OR 97301

RE: HB 2328

Dear Chair Prusak and Committee Members,

Thank you for the opportunity to provide comments on **HB 2328** which pertains to discrimination against health care providers by insurers. Moda Health would like to express our opposition to this bill. Below are the major concerns we have with this proposed legislation.

First, federal and state law currently prohibit discrimination against providers practicing within the scope of their license, and so no change is needed to existing requirements. Moda does not discriminate against providers with regard to coverage or participation in our plans. That is to say, a service that is covered under one of our plans is covered from any provider licensed to provide that service. We will allow any licensed provider onto our network, so long as our credentialing and contracting requirements are met.

Second, providers such as Naturopathic physicians and Chiropractic physicians are able to join our networks, as long as our participation requirements are met, and can provide covered services under our plans.

Third, we utilize various criteria when establishing reimbursement rates, consistent with current law. Payers must retain the ability to establish reimbursement rates through value-based reimbursement arrangements and other methods that support delivery of high-quality services but also take into account economic factors such as a provider's education, expertise and market expectations.

Fourth, establishing requirements to apply reimbursement rates uniformly reduces a payer's ability to meet healthcare cost growth objectives, which benefit all Oregonians.

Finally, the provisions of Section 1, Subsection 2(d) are extremely broad and as written would significantly limit our ability to maintain affordability through utilization management and network development.

Again, thank you for the opportunity to comment and share our concerns with **HB 2328**.

Sincerely,

Dave Nesseler-Cass
Chief Compliance Officer and Director, Regulatory Affairs
Moda Health Plan, Inc.



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