

## HB 4134 -9 STAFF MEASURE SUMMARY

### House Committee On Health Care

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**Meeting Dates:** 2/2, 2/14

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

Requires insurers and health care service contractors to reimburse labor and delivery services provided by out-of-network provider if services were provided out-of-network solely due to diversion of patient for reason related to state or federal declaration of public health emergency. Declares emergency, effective on passage.

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

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

#### **ISSUES DISCUSSED:**

- Rerouting of health care due to COVID-19 public health emergency
- Federal No Surprises Act
- Definition of "labor"
- Financial impact of receiving services out-of-network

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

-9 Clarifies reimbursement requirements to align with federal No Surprises Act or method adopted by Department of Consumer and Business Services and prohibit imposition of cost-sharing that exceeds amounts applicable to in-network providers. Applies reimbursement requirements to plans offered by the Public Employees' Benefit Board (PEBB) and Oregon Educators Benefit Board (OEBB). Clarifies emergency and labor and delivery services, including transport, required to be covered by insurers without prior authorization.

*REVENUE: No revenue impact*

*FISCAL: Fiscal impact issued*

#### **BACKGROUND:**

Health insurance companies often contract with certain hospitals, doctors, pharmacies, and other health care providers to deliver medical services for an agreed-upon rate, making up the insurer's network. Services received by providers not in the insurer's network often have higher beneficiary cost-sharing when covered by the insurer.

House Bill 4134 requires insurers to reimburse out-of-network labor and delivery services if they were provided out-of-network solely due to the diversion of the patient for a reason related to a public health emergency declaration.