

B-Engrossed Senate Bill 1529

Ordered by the House February 25
Including Senate Amendments dated February 14 and House Amendments
dated February 25

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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.

[Allows volunteer qualified health care providers to administer health care services in this state during health care emergency.] Allows Public Health Director to direct and deploy volunteer **emergency** health care providers *[during health care emergency]* **under specified circumstances**. Requires Oregon Health Authority to provide workers' compensation coverage for volunteer **emergency** health care providers. *[Defines "health care emergency."]*

Requires individual and group health insurance policies, health care service contractors and multiple employer welfare arrangements to provide reimbursement for at least three primary care visits annually in addition to one annual preventive primary care visit covered without cost-sharing. Exempts commercial plans offered to public employees by Public Employees' Benefit Board and Oregon Educators Benefit Board.

Requires enrollee in individual or group policy or certificate of health insurance and member of coordinated care organizations to be assigned by insurer or coordinated care organization to primary care provider if enrollee has not selected primary care provider within specified timelines. Allows enrollee or member to select different primary care provider at any time.

Prohibits individual and group health insurance policies, health care service contractors, multiple employer welfare arrangements and, beginning January 1, 2024, state medical assistance program from denying coverage for services provided by behavioral health home and patient centered primary care home because services were provided on same day or in same facility. Limits copayments for services provided by behavioral health home and patient centered primary care home on same day or in same facility.

Prohibits individual and group health insurance policies, health care service contractors, multiple employer welfare arrangements and, beginning January 1, 2024, state medical assistance program from requiring prior authorization for specialty behavioral health services provided at behavioral health home or patient centered primary care home.

Clarifies that certain contracts between pharmacies or pharmacists and pharmacy benefits managers are subject to specified requirements.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to health care; creating new provisions; amending ORS 431A.015, 750.055 and 750.333 and
3 section 5, chapter 575, Oregon Laws 2015, and section 5, chapter 526, Oregon Laws 2019; and
4 declaring an emergency.

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

EMERGENCY HEALTH CARE PROVIDERS

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7
8
9 **SECTION 1.** ORS 431A.015 is amended to read:

10 431A.015. (1) Unless the Governor has declared a public health emergency under ORS 433.441,
11 the Public Health Director may, upon approval of the Governor or the designee of the Governor,

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.

1 take the public health actions described in subsection (2) of this section if the Public Health Direc-
2 tor determines that:

3 (a)(A) A communicable disease, reportable disease, disease outbreak, epidemic or other condition
4 of public health importance has affected more than one county;

5 (B) There is an immediate need for a consistent response from the state in order to adequately
6 protect the public health;

7 (C) The resources of the local public health authority or authorities are likely to be quickly
8 overwhelmed or unable to effectively manage the required response; and

9 (D) There is a significant risk to the public health; or

10 (b) A communicable disease, reportable disease, disease outbreak, epidemic or other condition
11 of public health importance is reported in Oregon and is an issue of significant regional or national
12 concern or is an issue for which there is significant involvement from federal authorities requiring
13 state-federal coordination.

14 (2) The Public Health Director, after making the determinations required under subsection (1)
15 of this section, may take the following public health actions:

16 (a) Coordinate the public health response across jurisdictions.

17 (b) Prescribe measures for the:

18 (A) Identification, assessment and control of the communicable disease or reportable disease,
19 disease outbreak, epidemic or other condition of public health importance; and

20 (B) Allocation and distribution of antitoxins, serums, vaccines, immunizing agents, antibiotics,
21 antidotes and other pharmaceutical agents, medical supplies or personal protective equipment.

22 (c) After consultation with appropriate medical experts, create and require the use of diagnostic
23 and treatment guidelines and provide notice of those guidelines to health care providers, institutions
24 and facilities.

25 (d) Require a person to obtain treatment and use appropriate prophylactic measures to prevent
26 the introduction or spread of a communicable disease or reportable disease, unless:

27 (A) The person has a medical diagnosis for which a vaccination is contraindicated; or

28 (B) The person has a religious or conscientious objection to the required treatments or
29 prophylactic measures.

30 (e) Notwithstanding ORS 332.075, direct a district school board to close a children's facility or
31 school under the jurisdiction of the board. The authority granted to the Public Health Director un-
32 der this paragraph supersedes the authority granted to the district school board under ORS 332.075
33 to the extent the authority granted to the board is inconsistent with the authority granted to the
34 director.

35 (f) Issue guidelines for private businesses regarding appropriate work restrictions.

36 (g) Organize public information activities regarding the public health response to circumstances
37 described in subsection (1) of this section.

38 (h) Adopt reporting requirements for, and provide notice of those reporting requirements to,
39 health care providers, institutions and facilities for the purpose of obtaining information directly
40 related to the public health threat presented.

41 (i) Take control of antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and
42 other pharmaceutical agents, medical supplies or personal protective equipment.

43 **(j) Direct and deploy emergency health care providers under ORS 401.661.**

44 (3) The authority granted to the Public Health Director under this section is not intended to
45 override the general authority provided to a local public health authority except as already per-

mitted by law, or under the circumstances described in subsection (1) of this section.

(4) If the Oregon Health Authority adopts temporary rules to implement subsection (2) of this section, the rules adopted are not subject to the provisions of ORS 183.335 (6)(a). The authority may amend the temporary rules adopted under this subsection as often as is necessary to respond to the public health threat.

(5) If it is necessary for the authority to purchase antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes or other pharmaceutical agents, medical supplies or personal protective equipment, the purchases are not subject to the provisions of ORS chapter 279A, 279B or 279C.

(6) If property is taken under the authority granted to the Public Health Director under subsection (2) of this section, the owner of the property is entitled to reasonable compensation from the state.

SECTION 2. Section 3 of this 2022 Act is added to and made a part of ORS chapter 656.

SECTION 3. (1) The Oregon Health Authority shall provide workers' compensation coverage for volunteer emergency health care providers registered under ORS 401.654 who are injured in the course and scope of performing emergency health care services if the injury occurs:

(a) While the volunteer is performing health care services at the direction of the authority under ORS 401.661; or

(b) While the volunteer is engaged in training being conducted or approved by the authority for the purpose of preparing the volunteer to perform emergency health care services.

(2) Workers' compensation coverage shall be provided under this section in the manner provided by ORS 656.039.

PHARMACY BENEFIT MANAGERS

SECTION 4. Section 5, chapter 526, Oregon Laws 2019, is amended to read:

Sec. 5. [Section 2 of this 2019 Act] **ORS 735.536** and the amendments to ORS 735.530 and 735.534 by sections 3 and 4, [of this 2019 Act] **chapter 526, Oregon Laws 2019**, apply to pharmacy benefits and to contracts between pharmacies or pharmacists and pharmacy benefit managers:

(1) Entered into, renewed or extended on or after January 1, 2021.

(2) Automatically renewed on or after January 1, 2023.

ACCESS TO PRIMARY CARE

SECTION 5. Sections 6 to 8 of this 2022 Act are added to and made a part of the Insurance Code.

SECTION 6. (1) As used in this section, "primary care" means outpatient behavioral health services, nonspecialty medical services or the coordination of health care for the purpose of:

(a) Promoting or maintaining behavioral and physical health and wellness; and

(b) Diagnosis, treatment or management of acute or chronic conditions caused by disease, injury or illness.

(2) An individual or group policy or certificate of health insurance that is not offered on the health insurance exchange and that reimburses the cost of hospital, medical or surgical

1 expenses, other than coverage limited to expenses from accidents or specific diseases and
2 limited benefit coverage, shall, in each plan year, reimburse the cost of at least three pri-
3 mary care visits for behavioral health or physical health treatment.

4 (3) The coverage under subsection (2) of this section:

5 (a) May not be subject to copayments, coinsurance or deductibles, except as provided in
6 ORS 742.008; and

7 (b) Is in addition to one annual preventive primary care visit that must be covered
8 without cost-sharing.

9 (4) An insurer that offers a qualified health plan on the health insurance exchange must
10 offer at least one plan in each metal tier offered by the insurer that provides the coverage
11 described in subsections (2) and (3) of this section.

12 (5) This section does not apply to health benefit plans offered to public employees by
13 insurers that contract with the Public Employees' Benefit Board or the Oregon Educators
14 Benefit Board.

15 (6) This section is exempt from ORS 743A.001.

16 **SECTION 7.** (1) As used in this section:

17 (a) "Behavioral health home" means an entity providing behavioral health services that
18 the Oregon Health Authority has found to meet the core attributes established under ORS
19 413.259 for a behavioral health home.

20 (b) "Patient centered primary care home" means an entity providing health care services
21 that the authority has found to meet the core attributes established under ORS 413.259 for
22 a patient centered primary care home.

23 (2) An individual or group policy or certificate of health insurance that reimburses the
24 cost of hospital, medical or surgical expenses, other than coverage limited to expenses from
25 accidents or specific diseases and limited benefit coverage, may not:

26 (a) Exclude coverage for a behavioral health service or a physical health service on the
27 basis that the behavioral health service and physical health service were provided on the
28 same day or in the same facility.

29 (b) Impose a copayment for physical health services provided by an in-network provider
30 in a behavioral health home on the same day or in the same facility that a copayment was
31 charged for behavioral health services.

32 (c) Impose a copayment for behavioral health services provided by an in-network provider
33 in a patient centered primary care home on the same day or in the same facility that a
34 copayment was charged for physical health services.

35 (d) Require prior authorization for a covered behavioral health service provided by a
36 specialist in a behavioral health home or a patient centered primary care home.

37 (3) Subsection (2)(a) of this section does not apply to a health benefit plan in which pro-
38 viders are reimbursed by payment of a fixed global budget, using a value-based payment ar-
39 rangement or using other alternative payment methodologies.

40 (4) This section is exempt from ORS 743A.001.

41 **SECTION 8.** (1) As used in this section, "primary care provider" means an individual li-
42 censed or certified in this state to provide outpatient, nonspecialty medical services or the
43 coordination of health care for the purpose of:

44 (a) Promoting or maintaining mental and physical health and wellness; and

45 (b) Diagnosis, treatment or management of acute or chronic conditions caused by dis-

1 ease, injury or illness.

2 (2) An insurer offering an individual or group policy or certificate of health insurance
3 that reimburses the cost of hospital, medical or surgical expenses, other than coverage lim-
4 ited to expenses from accidents or specific diseases and limited benefit coverage, must assign
5 a beneficiary under the policy or certificate to a primary care provider if the beneficiary or
6 a parent of a minor beneficiary has not selected a primary care provider by the 90th day of
7 the plan year. If the insurer assigns the beneficiary to a primary care provider, the insurer
8 shall provide notice of the assignment to the beneficiary or parent and to the primary care
9 provider.

10 (3) A beneficiary may select a different primary care provider at any time.

11 (4) The Department of Consumer and Business Services shall adopt rules prescribing a
12 methodology for assignment and attribution of beneficiaries, to ensure accuracy and agree-
13 ment between insurers and providers. The rules must prioritize consumer choice, ensure
14 collaboration between insurers and providers and be consistent with recommendations of the
15 primary care payment reform collaborative described in section 2, chapter 575, Oregon Laws
16 2015.

17 SECTION 9. Section 10 of this 2022 Act is added to and made a part of ORS chapter 414.

18 SECTION 10. (1) A claim for reimbursement for a behavioral health service or a physical
19 health service provided to a medical assistance recipient may not be denied by the Oregon
20 Health Authority or a coordinated care organization on the basis that the behavioral health
21 service and physical health service were provided on the same day or in the same facility,
22 unless required by state or federal law.

23 (2) A coordinated care organization may not require prior authorization for specialty
24 behavioral health services provided to a medical assistance recipient at a behavioral health
25 home or a patient centered primary care home unless permitted to do so by the authority.

26 (3) A coordinated care organization must assign a member of the coordinated care or-
27 ganization to a primary care provider if the member has not selected a primary care provider
28 by the 90th day after enrollment in medical assistance. The coordinated care organization
29 shall provide notice of the assignment to the member and to the primary care provider.

30 (4) A member may select a different primary care provider at any time.

31 (5) Subsection (1) of this section does not apply to coordinated care organizations' pay-
32 ments to providers using a value-based payment arrangement or other alternative payment
33 methodology.

34 SECTION 11. ORS 750.055 is amended to read:

35 750.055. (1) The following provisions apply to health care service contractors to the extent not
36 inconsistent with the express provisions of ORS 750.005 to 750.095:

37 (a) ORS 705.137, 705.138 and 705.139.

38 (b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
39 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS
40 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652,
41 731.730, 731.731, 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

42 (c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.596, not
43 including ORS 732.582.

44 (d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
45 to 733.780.

1 (e) ORS 734.014 to 734.440.

2 (f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to 742.162 and 742.518 to
3 742.542.

4 (g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022, 743.023, 743.028,
5 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to 743.109, 743.402, 743.405, 743.406, 743.417,
6 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650 to
7 743.656, 743.680 to 743.689, 743.788 and 743.790 **and section 8 of this 2022 Act.**

8 (h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 743A.040, 743A.044,
9 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
10 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,
11 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.170,
12 743A.175, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252 and 743A.260 and section 2,
13 chapter 771, Oregon Laws 2013, **and sections 6 and 7 of this 2022 Act.**

14 (i) ORS 743.025, 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195, 743B.197, 743B.200,
15 743B.202, 743B.204, 743B.220, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253, 743B.254,
16 743B.255, 743B.256, 743B.257, 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310, 743B.320,
17 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 743B.400, 743B.403, 743B.407,
18 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505, 743B.550,
19 743B.555, 743B.601, 743B.602 and 743B.800.

20 (j) The following provisions of ORS chapter 744:

21 (A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance produc-
22 ers;

23 (B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and

24 (C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

25 (k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
26 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

27 (2) The following provisions of the Insurance Code apply to health care service contractors ex-
28 cept in the case of group practice health maintenance organizations that are federally qualified
29 pursuant to Title XIII of the Public Health Service Act:

30 (a) ORS 731.485, if the group practice health maintenance organization wholly owns and oper-
31 ates an in-house drug outlet.

32 (b) ORS 743A.024, unless the patient is referred by a physician, physician assistant or nurse
33 practitioner associated with a group practice health maintenance organization.

34 (3) For the purposes of this section, health care service contractors are insurers.

35 (4) Any for-profit health care service contractor organized under the laws of any other state that
36 is not governed by the insurance laws of the other state is subject to all requirements of ORS
37 chapter 732.

38 (5)(a) A health care service contractor is a domestic insurance company for the purpose of de-
39 termining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.

40 (b) A health care service contractor's classification as a domestic insurance company under
41 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
42 to 734.710.

43 (6) The Director of the Department of Consumer and Business Services may, after notice and
44 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
45 and 750.045 that are necessary for the proper administration of these provisions.

1 **SECTION 12.** ORS 750.055, as amended by section 21, chapter 771, Oregon Laws 2013, section
2 7, chapter 25, Oregon Laws 2014, section 82, chapter 45, Oregon Laws 2014, section 9, chapter 59,
3 Oregon Laws 2015, section 7, chapter 100, Oregon Laws 2015, section 7, chapter 224, Oregon Laws
4 2015, section 11, chapter 362, Oregon Laws 2015, section 10, chapter 470, Oregon Laws 2015, section
5 30, chapter 515, Oregon Laws 2015, section 10, chapter 206, Oregon Laws 2017, section 6, chapter
6 417, Oregon Laws 2017, section 22, chapter 479, Oregon Laws 2017, section 10, chapter 7, Oregon
7 Laws 2018, section 69, chapter 13, Oregon Laws 2019, section 38, chapter 151, Oregon Laws 2019,
8 section 5, chapter 441, Oregon Laws 2019, and section 85, chapter 97, Oregon Laws 2021, is amended
9 to read:

10 750.055. (1) The following provisions apply to health care service contractors to the extent not
11 inconsistent with the express provisions of ORS 750.005 to 750.095:

12 (a) ORS 705.137, 705.138 and 705.139.

13 (b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
14 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS
15 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652,
16 731.730, 731.731, 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

17 (c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.596, not
18 including ORS 732.582.

19 (d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
20 to 733.780.

21 (e) ORS 734.014 to 734.440.

22 (f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to 742.162 and 742.518 to
23 742.542.

24 (g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022, 743.023, 743.028,
25 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to 743.109, 743.402, 743.405, 743.406, 743.417,
26 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650 to
27 743.656, 743.680 to 743.689, 743.788 and 743.790 **and section 8 of this 2022 Act.**

28 (h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 743A.040, 743A.044,
29 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
30 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,
31 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.170,
32 743A.175, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252 and 743A.260 **and sections 6**
33 **and 7 of this 2022 Act.**

34 (i) ORS 743.025, 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195, 743B.197, 743B.200,
35 743B.202, 743B.204, 743B.220, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253, 743B.254,
36 743B.255, 743B.256, 743B.257, 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310, 743B.320,
37 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 743B.400, 743B.403, 743B.407,
38 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505, 743B.550,
39 743B.555, 743B.601, 743B.602 and 743B.800.

40 (j) The following provisions of ORS chapter 744:

41 (A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance produc-
42 ers;

43 (B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and

44 (C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

45 (k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,

1 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

2 (2) The following provisions of the Insurance Code apply to health care service contractors ex-
3 cept in the case of group practice health maintenance organizations that are federally qualified
4 pursuant to Title XIII of the Public Health Service Act:

5 (a) ORS 731.485, if the group practice health maintenance organization wholly owns and oper-
6 ates an in-house drug outlet.

7 (b) ORS 743A.024, unless the patient is referred by a physician, physician assistant or nurse
8 practitioner associated with a group practice health maintenance organization.

9 (3) For the purposes of this section, health care service contractors are insurers.

10 (4) Any for-profit health care service contractor organized under the laws of any other state that
11 is not governed by the insurance laws of the other state is subject to all requirements of ORS
12 chapter 732.

13 (5)(a) A health care service contractor is a domestic insurance company for the purpose of de-
14 termining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.

15 (b) A health care service contractor's classification as a domestic insurance company under
16 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
17 to 734.710.

18 (6) The Director of the Department of Consumer and Business Services may, after notice and
19 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
20 and 750.045 that are necessary for the proper administration of these provisions.

21 **SECTION 13.** ORS 750.333 is amended to read:

22 750.333. (1) The following provisions apply to trusts carrying out a multiple employer welfare
23 arrangement:

24 (a) ORS 705.137, 705.138 and 705.139.

25 (b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316, 731.324, 731.328,
26 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414, 731.418 to 731.434, 731.454, 731.484,
27 731.486, 731.488, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.804, 731.808 and 731.844 to
28 731.992.

29 (c) ORS 733.010 to 733.050, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695 to 733.780.

30 (d) ORS 734.014 to 734.440.

31 (e) ORS 742.001 to 742.009, 742.013, 742.016, 742.061 and 742.065.

32 (f) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.023, 743.028, 743.029,
33 743.053, 743.405, 743.406, 743.524, 743.526 and 743.535 **and section 8 of this 2022 Act.**

34 (g) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.024, 743A.034, 743A.036, 743A.040,
35 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
36 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,
37 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.170,
38 743A.175, 743A.180, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252 and 743A.260 **and**
39 **sections 6 and 7 of this 2022 Act.**

40 (h) ORS 743B.001, 743B.003 to 743B.127 (except 743B.125 to 743B.127), 743B.195, 743B.197,
41 743B.200, 743B.202, 743B.204, 743B.220, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253,
42 743B.254, 743B.255, 743B.256, 743B.257, 743B.258, 743B.310, 743B.320, 743B.321, 743B.330, 743B.340,
43 743B.341, 743B.342, 743B.343, 743B.344, 743B.345, 743B.347, 743B.400, 743B.403, 743B.407, 743B.420,
44 743B.423, 743B.451, 743B.453, 743B.470, 743B.505, 743B.550, 743B.555 and 743B.601.

45 (i) The following provisions of ORS chapter 744:

1 (A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance produc-
2 ers;

3 (B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and

4 (C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

5 (j) ORS 746.005 to 746.140, 746.160 and 746.220 to 746.370.

6 (2) For the purposes of this section:

7 (a) A trust carrying out a multiple employer welfare arrangement is an insurer.

8 (b) References to certificates of authority are references to certificates of multiple employer
9 welfare arrangement.

10 (c) Contributions are premiums.

11 (3) The provision of health benefits under ORS 750.301 to 750.341 is the transaction of health
12 insurance.

13 (4) The Department of Consumer and Business Services may adopt rules that are necessary to
14 implement the provisions of ORS 750.301 to 750.341.

15 **SECTION 14.** Section 8 of this 2022 Act is amended to read:

16 **Sec. 8.** (1) As used in this section, “primary care provider” means an individual licensed or
17 certified in this state to provide outpatient, nonspecialty medical services or the coordination of
18 health care for the purpose of:

19 (a) Promoting or maintaining mental and physical health and wellness; and

20 (b) Diagnosis, treatment or management of acute or chronic conditions caused by disease, injury
21 or illness.

22 (2) An insurer offering an individual or group policy or certificate of health insurance that re-
23 imburse the cost of hospital, medical or surgical expenses, other than coverage limited to expenses
24 from accidents or specific diseases and limited benefit coverage, must assign a beneficiary under the
25 policy or certificate to a primary care provider if the beneficiary or a parent of a minor beneficiary
26 has not selected a primary care provider by the 90th day of the plan year. If the insurer assigns the
27 beneficiary to a primary care provider, the insurer shall provide notice of the assignment to the
28 beneficiary or parent and to the primary care provider.

29 (3) A beneficiary may select a different primary care provider at any time.

30 (4) The Department of Consumer and Business Services shall adopt rules prescribing a method-
31 ology for assignment and attribution of beneficiaries, to ensure accuracy and agreement between
32 insurers and providers. The rules must prioritize consumer choice[,] **and** ensure collaboration be-
33 tween insurers and providers [*and be consistent with recommendations of the primary care payment*
34 *reform collaborative described in section 2, chapter 575, Oregon Laws 2015*].

35 **SECTION 15.** Section 5, chapter 575, Oregon Laws 2015, as amended by section 8, chapter 26,
36 Oregon Laws 2016, and section 19, chapter 489, Oregon Laws 2017, is amended to read:

37 **Sec. 5.** (1) Sections 1 to 4, chapter 575, Oregon Laws 2015, are repealed on December 31, 2027.

38 (2) Section 3 [*of this 2017 Act*], **chapter 489, Oregon Laws 2017**, is repealed on December 31,
39 2027.

40 **(3) The amendments to section 8 of this 2022 Act by section 14 of this 2022 Act become**
41 **operative on December 31, 2027.**

42
43 **APPLICABILITY DATE**

44
45 **SECTION 16.** Sections 6, 7 and 8 of this 2022 Act and the amendments to ORS 750.055 and

1 **750.333 by sections 11 to 13 of this 2022 Act apply to policies or certificates of insurance is-**
2 **sued, renewed or extended on or after October 1, 2023, for coverage during the 2024 plan**
3 **year.**

4
5 **OPERATIVE DATE**

6
7 **SECTION 17. Section 10 of this 2022 Act becomes operative on January 1, 2024.**

8
9 **CAPTIONS**

10
11 **SECTION 18. The unit captions used in this 2022 Act are provided only for the conven-**
12 **ience of the reader and do not become part of the statutory law of this state or express any**
13 **legislative intent in the enactment of this 2022 Act.**

14
15 **EFFECTIVE DATE**

16
17 **SECTION 19. This 2022 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect**
19 **on its passage.**

20
