

SENATE AMENDMENTS TO SENATE BILL 376

By COMMITTEE ON JUDICIARY

April 14

1 In line 2 of the printed bill, after “insurance” insert “; amending ORS 750.055; and prescribing
2 an effective date”.

3 Delete lines 4 through 8 and insert:

4 “**SECTION 1.** ORS 750.055, as amended by section 11, chapter 37, Oregon Laws 2022, is
5 amended to read:

6 “750.055. (1) The following provisions apply to health care service contractors to the extent not
7 inconsistent with the express provisions of ORS 750.005 to 750.095:

8 “(a) ORS 705.137, 705.138 and 705.139.

9 “(b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
10 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS
11 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652,
12 731.730, 731.731, 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

13 “(c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.596, not
14 including ORS 732.582, **and ORS 732.650 to 732.689.**

15 “(d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
16 to 733.780.

17 “(e) ORS 734.014 to 734.440.

18 “(f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to 742.162 and 742.518 to
19 742.542.

20 “(g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022, 743.023, 743.028,
21 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to 743.109, 743.402, 743.405, 743.406, 743.417,
22 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650 to
23 743.656, 743.680 to 743.689, 743.788 and 743.790 and section 8, chapter 37, Oregon Laws 2022.

24 “(h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 743A.040, 743A.044,
25 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
26 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,
27 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.170,
28 743A.175, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252 and 743A.260 and section 2,
29 chapter 771, Oregon Laws 2013, and sections 6 and 7, chapter 37, Oregon Laws 2022.

30 “(i) ORS 743.025, 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195, 743B.197,
31 743B.200, 743B.202, 743B.204, 743B.220, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253,
32 743B.254, 743B.255, 743B.256, 743B.257, 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310,
33 743B.320, 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 743B.400, 743B.403,
34 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505,
35 743B.550, 743B.555, 743B.601, 743B.602 and 743B.800.

1 “(j) The following provisions of ORS chapter 744:
2 “(A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance pro-
3 ducers;
4 “(B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and
5 “(C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.
6 “(k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608,
7 746.610, 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and
8 746.690.
9 “(2) The following provisions of the Insurance Code apply to health care service contractors
10 except in the case of group practice health maintenance organizations that are federally qualified
11 pursuant to Title XIII of the Public Health Service Act:
12 “(a) ORS 731.485, if the group practice health maintenance organization wholly owns and oper-
13 ates an in-house drug outlet.
14 “(b) ORS 743A.024, unless the patient is referred by a physician, physician assistant or nurse
15 practitioner associated with a group practice health maintenance organization.
16 “(3) For the purposes of this section, health care service contractors are insurers.
17 “(4) Any for-profit health care service contractor organized under the laws of any other state
18 that is not governed by the insurance laws of the other state is subject to all requirements of ORS
19 chapter 732.
20 “(5)(a) A health care service contractor is a domestic insurance company for the purpose of
21 determining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.
22 “(b) A health care service contractor’s classification as a domestic insurance company under
23 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
24 to 734.710.
25 “(6) The Director of the Department of Consumer and Business Services may, after notice and
26 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
27 and 750.045 that are necessary for the proper administration of these provisions.
28 “**SECTION 2.** ORS 750.055, as amended by section 21, chapter 771, Oregon Laws 2013, section
29 7, chapter 25, Oregon Laws 2014, section 82, chapter 45, Oregon Laws 2014, section 9, chapter 59,
30 Oregon Laws 2015, section 7, chapter 100, Oregon Laws 2015, section 7, chapter 224, Oregon Laws
31 2015, section 11, chapter 362, Oregon Laws 2015, section 10, chapter 470, Oregon Laws 2015, section
32 30, chapter 515, Oregon Laws 2015, section 10, chapter 206, Oregon Laws 2017, section 6, chapter
33 417, Oregon Laws 2017, section 22, chapter 479, Oregon Laws 2017, section 10, chapter 7, Oregon
34 Laws 2018, section 69, chapter 13, Oregon Laws 2019, section 38, chapter 151, Oregon Laws 2019,
35 section 5, chapter 441, Oregon Laws 2019, section 85, chapter 97, Oregon Laws 2021, and section
36 12, chapter 37, Oregon Laws 2022, is amended to read:
37 “750.055. (1) The following provisions apply to health care service contractors to the extent not
38 inconsistent with the express provisions of ORS 750.005 to 750.095:
39 “(a) ORS 705.137, 705.138 and 705.139.
40 “(b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
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45 including ORS 732.582, and **ORS 732.650 to 732.689.**

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13 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.170,
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15 and 7, chapter 37, Oregon Laws 2022.

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20 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505,
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40 chapter 732.

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42 determining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.

43 “(b) A health care service contractor’s classification as a domestic insurance company under
44 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
45 to 734.710.

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

4 “**SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023**
5 **regular session of the Eighty-second Legislative Assembly adjourns sine die.”**

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