

HB 3157: Health Insurance Mandate Advisory Review Committee

Achieve greater transparency around equitable access to mandated benefits and costs.

Background: Since 1985, Oregon law has required that proponents submit a report to accompany any legislative measure mandating health insurance coverage¹. This law is not being followed, depriving the Assembly of data it needs to make decisions on bills. The information required to be included in the report² needs updating considering recent federal and state policy changes meant to address the coverage, cost and equities of health care coverage mandates.

Problem: In each session, the Legislature is asked to pass an array of bills that mandate health plans to cover certain benefits or require certain payments to providers. Often the scope of these mandates is not well defined, and the impacts not well understood, which makes analysis of equitable access, costs and benefits of each mandate challenging. In addition, cost estimates typically look at insurance in urban markets, and miss the impact of mandates on our rural communities.

Solution: HB 3157 would amend existing law to create a Health Insurance Mandate Review Advisory Committee to help clarify the scope of a proposed mandate and compile relevant data. The Committee will be staffed by Legislative Policy & Research Office (LPRO) and a report on each mandate will be prepared. Most of the work will take place prior to the start of a legislative session (with an expedited process after the start of session). Policymakers could still introduce and vote on health insurance mandates but would do so without well-developed findings.

The Mandate Review Advisory Committee process will result in greater transparency around equitable access to mandated benefits and cost. HB 3157 creates a timely process to ensure:

- The scope of a mandate is well-defined—the description is not ambiguous, and details of coverage or payment are clear, including whether the mandate is within Oregon’s Essential Health Benefits package.
- The interplay between state and federal law is examined.
- An equity analysis of the mandate is performed, so it’s clear who will benefit from the mandate and who may not.
- An actuarial analysis of the cost of the mandate is performed. Impacts to cost and coverage on rural residents in Oregon would be better measured and understood.

The Committee’s work is limited to scoping and data gathering. It cannot make policy recommendations.

HB 3157 is not intended to be a barrier for new mandates. By establishing a timely process to better define and compile information about a proposed health care mandate, HB 3157 will lead to more informed policy discussions and more accurate and consistent implementation.

Thirty-two other states have a process to study proposed mandates, it’s time Oregon implement thoughtful, transparent review.

¹ ORS 171.875

² ORS 171.880