



STATE OF OREGON
Legislative Counsel Committee

March 12, 2025

To: Senator Lisa Reynolds
From: Erin Jansen, Deputy Legislative Counsel
Subject: SB 699 -3

Enclosed is a copy of the -3 amendments to Senate Bill 699.

I understand the intent of this request is to cover as many devices as are medically necessary. However, among the requested changes, the -3 amendments remove the reference in the -1 and -2 amendments to "multiple devices" and instead rely on the plural use of "devices" in the amendments to ORS 743A.145 (2)(a) and (b) to communicate that this bill requires coverage of more than one device if that is deemed medically necessary.

If language was included requiring "devices, including multiple devices," this would not only be redundant, but also potentially create other interpretation concerns throughout the Oregon Revised Statutes if it must be specified that the use of a plural noun means more than one.

As drafted, the language reads: "Devices that are determined to be medically necessary" If asked to interpret whether this language required coverage of more than one device, our opinion would be that it does require coverage of more than one device, based on the use of the plural, rather than the singular "a device" or "one device that is determined to be medically necessary," which would imply coverage of just one device.

Encl.