

A-Engrossed
House Bill 2212

Ordered by the House April 15
Including House Amendments dated April 15

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Behavioral Health and Health Care for Representative Rob Nosse)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates the Task Force on the Prioritized List of Health Services. (Flesch Readability Score: 83.0).

Establishes the Task Force on the Prioritized List of Health Services. Directs the task force to study the **potential impacts, and ways to limit the potential impacts**, of *[eliminating]* **phasing out the use of** the prioritized list of health services and report to the interim committees of the Legislative Assembly related to health no later than *[March 15]* **February 1, 2026**.

Sunsetts the task force on *January 2, [2028]* **2027**.

Declares an emergency, effective *[July 1, 2025]* **on passage**.

A BILL FOR AN ACT

1
2 Relating to the prioritized list of health services; and declaring an emergency.

3 Whereas Oregon's prioritized list of health services has been a central foundation of the state's
4 medical assistance program for 30 years; and

5 Whereas the Centers for Medicare and Medicaid Services has required the state to phase out
6 use of the prioritized list from the state's demonstration project under section 1115 of the Social
7 Security Act (42 U.S.C. 1315); and

8 Whereas the principles and underlying intent of the prioritized list are essential to the state's
9 medical assistance program; and

10 Whereas the Health Evidence Review Commission serves the goal of health care transformation
11 by using data-driven evidence to make coverage decisions; and

12 Whereas Oregon seeks to ensure, to the greatest extent possible, an equitable and sustainable
13 application of the prioritized list in future state plan amendments; now, therefore,

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

15 **SECTION 1. (1) The Task Force on the Prioritized List of Health Services is established.**

16 **(2) The task force consists of 23 members who reflect the geographic diversity of this**
17 **state, appointed as follows:**

18 **(a) The President of the Senate shall appoint 11 members as follows:**

19 **(A) Two members who are not members of the same political party from among members**
20 **of the Senate;**

21 **(B) One representative of the system described in ORS 192.517 (1);**

22 **(C) One representative of the nine federally recognized Indian tribes in this state;**

23 **(D) One representative of a dental care organization;**

24 **(E) One representative of a statewide association representing behavioral health provid-**

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 **ers; and**

2 **(F) Five representatives of coordinated care organizations, as defined in ORS 414.025, in-**
3 **cluding at least one from a rural service area and one from an urban service area.**

4 **(b) The Speaker of the House of Representatives shall appoint nine members as follows:**

5 **(A) Two members who are not members of the same political party from among members**
6 **of the House of Representatives;**

7 **(B) Two representatives with expertise in actuarial data;**

8 **(C) Two representatives with expertise in medical management;**

9 **(D) One representative with expertise in claims adjudication;**

10 **(E) One representative of a legal aid organization that serves medical assistance recipi-**
11 **ents in this state; and**

12 **(F) One current member of the Health Evidence Review Commission.**

13 **(c) The Governor shall appoint three members as follows:**

14 **(A) One representative of the Oregon Health Authority;**

15 **(B) One representative of the Department of Human Services; and**

16 **(C) One health care advisor to the Governor.**

17 **(3) The task force shall study the potential impacts, and ways to limit the potential im-**
18 **packs, of phasing out the use of the prioritized list of health services compiled by the Health**
19 **Evidence Review Commission under ORS 414.690 from the state's demonstration project un-**
20 **der section 1115 of the Social Security Act (42 U.S.C. 1315), including potential impacts in the**
21 **state's medical assistance program to:**

22 **(a) The determination of coverage of health services;**

23 **(b) The claims adjudication process and provider prescribing practices;**

24 **(c) The sustainability of the Oregon Integrated and Coordinated Health Care Delivery**
25 **System established in ORS 414.570; and**

26 **(d) The appeals and grievance process.**

27 **(4) A majority of the voting members of the task force constitutes a quorum for the**
28 **transaction of business.**

29 **(5) Official action by the task force requires the approval of a majority of the voting**
30 **members of the task force.**

31 **(6) The task force shall elect two of its members to serve as cochairs.**

32 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
33 **ment to become immediately effective.**

34 **(8) The task force shall meet monthly or at a frequency determined necessary by the call**
35 **of the cochairs or of a majority of the voting members of the task force.**

36 **(9) The task force may adopt rules necessary for the operation of the task force.**

37 **(10) The task force shall submit a report in the manner provided by ORS 192.245, and**
38 **may include recommendations for addressing the impacts of phasing out the use of the pri-**
39 **oritized list of health services, to the interim committees of the Legislative Assembly related**
40 **to health no later than February 1, 2026.**

41 **(11)(a) The Legislative Policy and Research Director, in collaboration with the Oregon**
42 **Health Authority, shall provide staff support to the task force.**

43 **(b) The director may contract with third parties to study the potential impacts described**
44 **in subsection (3) of this section.**

45 **(12) Members of the Legislative Assembly appointed to the task force are nonvoting**

1 **members of the task force and may act in an advisory capacity only.**

2 **(13) All agencies of state government, as defined in ORS 174.111, are directed to assist**
3 **the task force in the performance of the duties of the task force and, to the extent permitted**
4 **by laws relating to confidentiality, to furnish information and advice the members of the task**
5 **force consider necessary to perform their duties.**

6 **SECTION 2. Section 1 of this 2025 Act is repealed on January 2, 2027.**

7 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
9 **on its passage.**

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