

**Enrolled**  
**House Bill 2540**

Sponsored by Representatives DIEHL, JAVADI, MCINTIRE, PHAM H; Representatives ANDERSEN, BOSCHART DAVIS, EVANS, FAHEY, HARBICK, HUDSON, LEVY B, NELSON, NERON, NOSSE, SKARLATOS, WATANABE, YUNKER, Senators BONHAM, HAYDEN, MCLANE, PATTERSON, SMITH DB (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to medical out-of-pocket costs.

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

**SECTION 1.** Section 2 of this 2025 Act is added to and made a part of ORS 743B.280 to 743B.285.

**SECTION 2.** (1) An insurer offering a health benefit plan as defined in ORS 743B.005 shall credit any amount an enrollee pays directly to a health care provider to the enrollee's deductible and annual out-of-pocket expenses if:

- (a) The health care item or service is medically necessary and covered under the enrollee's health benefit plan;
- (b) The enrollee does not submit the claim to the insurer; and
- (c) The amount paid to the health care provider is less than the average discounted rate for the item or service paid to an in-network health care provider with the same license.

(2) An insurer shall:

- (a) Establish a process for an enrollee to submit a claim for the credit described in subsection (1) of this section, including the necessary documentation the enrollee is required to submit in support of the claim; or
- (b) Require an enrollee to utilize the system the insurer uses to process and adjudicate claims to submit a claim for the credit described in subsection (1) of this section.

(3) Notwithstanding ORS 750.055 (1)(i), this section does not apply to a health maintenance organization as defined in ORS 750.005.

**SECTION 3.** Section 2 of this 2025 Act applies to a health benefit plan issued, renewed or extended on or after the effective date of this 2025 Act.

**Passed by House March 17, 2025**

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

**Passed by Senate May 13, 2025**

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Rob Wagner, President of Senate

**Received by Governor:**

.....M,....., 2025

**Approved:**

.....M,....., 2025

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2025

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Tobias Read, Secretary of State