

Enrolled House Bill 2540

Sponsored by Representatives DIEHL, JAVADI, MCINTIRE, PHAM H; Representatives ANDERSEN, BOSHART DAVIS, EVANS, FAHEY, HARBICK, HUDSON, LEVY B, NELSON, NERON, NOSSE, SKARLATOS, WATANABE, YUNKER, Senators BONHAM, HAYDEN, MCLANE, PATTERSON, SMITH DB (Presession 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