

House Bill 2591

Sponsored by Representative PHAM H (Pre-session filed.)

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

Digest: The Act makes a new tax credit for CRNAs and doctors who do anesthesiology. The Act also tells OHA to make rules to let CRNAs and those doctors be part of the health care provider incentive program. (Flesch Readability Score: 69.1).

Establishes an income tax credit for physicians who practice anesthesiology and for certified registered nurse anesthetists who do not qualify for rural health care provider tax credits.

Applies to tax years beginning on or after January 1, 2026.

Directs the Oregon Health Authority to include as eligible providers physicians who practice anesthesiology and certified registered nurse anesthetists in the health care provider incentive program.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to incentives for individuals who practice anesthesiology; creating new provisions; amend-
3 ing ORS 315.613; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 315.**

6 **SECTION 2. (1) A resident or nonresident individual who is not entitled to the tax credit**
7 **described in ORS 315.613 shall be allowed a credit against taxes that are otherwise due under**
8 **ORS chapter 316 if during the tax year the individual is:**

9 (a)(A) A physician licensed under ORS chapter 677 who practices anesthesiology; or

10 (B) A certified registered nurse anesthetist licensed under ORS 678.279; and

11 (b) Engaged in the practice of anesthesiology for at least 20 hours per week, averaged
12 over the month, during the tax year.

13 (2) The amount of the credit allowed under this section shall be \$3,000.

14 (3) The credit allowed under this section may not exceed the tax liability of the taxpayer
15 and may not be carried forward to another tax year.

16 (4) A nonresident shall be allowed the credit under this section in the proportion provided
17 in ORS 316.117. If a change in the status of a taxpayer from resident to nonresident or from
18 nonresident to resident occurs, the credit allowed by this section shall be determined in a
19 manner consistent with ORS 316.117.

20 **SECTION 3. ORS 315.613 is amended to read:**

21 315.613. (1) An annual credit against the taxes otherwise due under ORS chapter 316 shall be
22 allowed to a resident or nonresident individual who is:

23 (a) Certified as eligible under ORS 442.563;

24 (b) Licensed under ORS chapter 677;

25 (c) Engaged in the practice of medicine, and engaged for at least 20 hours per week, averaged
26 over the month, during the tax year in a rural practice; and

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 (d) Has adjusted gross income not in excess of \$300,000 for the tax year. The limitation in this
 2 paragraph does not apply to a physician who practices as a general surgeon, specializes in
 3 obstetrics, specializes in family or general practice and provides obstetrical services [or], practices
 4 emergency medicine **or practices as an anesthesiologist** in a county that is a frontier rural prac-
 5 tice county under rules adopted by the Office of Rural Health.

6 (2) The amount of credit allowed shall be based on the distance from a major population center
 7 in a qualified metropolitan statistical area at which the taxpayer maintains a practice or hospital
 8 membership:

9 (a) If at least 10 miles but fewer than 20 miles, \$3,000.

10 (b) If at least 20 miles but fewer than 50 miles, \$4,000.

11 (c) If 50 or more miles, \$5,000.

12 (3) The credit shall be allowed during the time in which the individual retains such practice and
 13 membership if the individual is actively practicing in and is a member of the medical staff of one
 14 of the following hospitals:

15 (a) A type A hospital designated as such by the Office of Rural Health;

16 (b) A type B hospital designated as such by the Office of Rural Health if the hospital is:

17 (A) Not within the boundaries of a metropolitan statistical area;

18 (B) Located 30 or more miles from the closest hospital within the major population center in a
 19 metropolitan statistical area; or

20 (C) Located in a county with a population of less than 75,000;

21 (c) A type C rural hospital, if the Office of Rural Health makes the findings required by ORS
 22 315.619;

23 (d) A rural critical access hospital; or

24 (e) A hospital:

25 (A) Classified by the Centers for Medicare and Medicaid Services as a rural referral center in
 26 accordance with 42 U.S.C. 1395ww(d)(5)(C)(i); and

27 (B) Classified by the Centers for Medicare and Medicaid Services as a sole community hospital
 28 in accordance with 42 U.S.C. 1395ww(d)(5)(D)(iii).

29 (4) In order to claim the credit allowed under this section, the individual must remain willing
 30 during the tax year to serve patients with Medicare coverage and patients receiving medical as-
 31 sistance in at least the same proportion to the individual's total number of patients as the Medicare
 32 and medical assistance populations represent of the total number of persons determined by the Of-
 33 fice of Rural Health to be in need of care in the county served by the practice, not to exceed 20
 34 percent Medicare patients or 15 percent medical assistance patients.

35 (5) A nonresident individual shall be allowed the credit under this section in the proportion
 36 provided in ORS 316.117. If a change in the status of a taxpayer from resident to nonresident or from
 37 nonresident to resident occurs, the credit allowed by this section shall be determined in a manner
 38 consistent with ORS 316.117.

39 (6) For purposes of this section, an "individual's practice" shall be determined on the basis of
 40 actual time spent in practice each week in hours or days, whichever is considered by the Office of
 41 Rural Health to be more appropriate. In the case of a shareholder of a corporation or a member of
 42 a partnership, only the time of the individual shareholder or partner shall be considered and the full
 43 amount of the credit shall be allowed to each shareholder or partner who qualifies in an individual
 44 capacity.

45 (7) As used in this section:

1 (a) “Qualified metropolitan statistical area” means only those counties of a metropolitan statis-
2 tical area that are located in Oregon if the largest city within the metropolitan statistical area is
3 located in Oregon.

4 (b) “Rural critical access hospital” means a facility that meets the criteria set forth in 42 U.S.C.
5 1395i-4 (c)(2)(B) and that has been designated a critical access hospital by the Office of Rural Health
6 and the Oregon Health Authority.

7 (c) “Type A hospital,” “type B hospital” and “type C hospital” have the meaning for those terms
8 provided in ORS 442.470.

9 **SECTION 4. Section 2 of this 2025 Act and the amendments to ORS 315.613 by section 3**
10 **of this 2025 Act apply to tax years beginning on or after January 1, 2026.**

11 **SECTION 5. The Oregon Health Authority shall adopt rules to include as qualified health**
12 **care providers eligible for participation in the health care provider incentive program created**
13 **under ORS 676.454 an individual who is, or who is training to become:**

14 (1) **A physician licensed under ORS chapter 677 who practices anesthesiology; and**

15 (2) **A certified registered nurse anesthetist licensed under ORS 678.279.**

16 **SECTION 6. This 2025 Act takes effect on the 91st day after the date on which the 2025**
17 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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