

HB 3234-4  
(LC 1775)  
3/19/25 (TSB/ps)

Requested by Representative NATHANSON

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3234**

On page 1 of the printed bill, line 2, after the first semicolon delete the rest of the line and line 3 and insert “and declaring an emergency.”.

Delete lines 5 through 25 and delete page 2 and insert:

**“SECTION 1. (1) As used in this section:**

**“(a) ‘Affiliate’ means a person that controls, is controlled by or is under common control with another person, whether by ownership of an interest in the person or the other person, or by means of a contractual arrangement or other agreement that provides for the right to direct the management of the person or the other person.**

**“(b) ‘Health care provider’ has the meaning given that term in ORS 413.164.**

**“(c) ‘Health insurance’ has the meaning given that term in ORS 731.162.**

**“(d) ‘Insurer’ has the meaning given that term in ORS 731.106.**

**“(e) ‘Professional medical entity’ means:**

**“(A) A professional corporation, as described in ORS 58.375; or**

**“(B) A professional corporation, as described in ORS 58.376.**

**“(f)(A) ‘Responsible person’ means:**

**“(i) An insurer that issues policies of health insurance in this state;**

**“(ii) A pharmacy benefit manager, as defined in ORS 735.530;**

**“(iii) A pharmacy services administrative organization, as defined**

1 in section 2, chapter 87, Oregon Laws 2024;

2 “(iv) A person that provides services for or on behalf of a health  
3 care provider that include:

4 “(I) Payroll;

5 “(II) Human resources;

6 “(III) Employment screening;

7 “(IV) Employee relations; or

8 “(V) Any other administrative or business service that supports or  
9 enables a health care provider to provide health care but that does not  
10 constitute practicing medicine, as described in ORS 677.085, or enabling  
11 physicians, physician associates and nurse practitioners to jointly  
12 render professional health care services; or

13 “(v) A person that employs a health care provider or furnishes  
14 clinical facilities, offices, equipment or other means by which a health  
15 care provider may provide health care or services related to health  
16 care.

17 “(B) ‘Responsible person’ does not include a health care provider  
18 or a professional medical entity.

19 “(2) A responsible person or an affiliate of a responsible person may  
20 not:

21 “(a) Exercise de facto control over administrative, business or  
22 clinical operations of a health care provider or a professional medical  
23 entity in a manner that affects the health care provider’s or profes-  
24 sional medical entity’s clinical decision making or the nature or  
25 quality of medical care that the health care provider or professional  
26 medical entity delivers, which de facto control includes, but is not  
27 limited to, exercising ultimate decision-making authority over:

28 “(A) Hiring or terminating, setting work schedules or compensation  
29 for, or otherwise specifying terms of employment of health care pro-  
30 viders;

1       **“(B) Setting clinical staffing levels, or specifying the period of time**  
2       **a health care provider may see a patient, for any location that serves**  
3       **patients;**

4       **“(C) Making diagnostic coding decisions;**

5       **“(D) Setting clinical standards or policies;**

6       **“(E) Setting policies for patient, client or customer billing and col-**  
7       **lection; or**

8       **“(F) Setting the prices, rates or amounts a health care provider or**  
9       **professional medical entity charges for the health care provider’s ser-**  
10       **vices.**

11       **“(b) Restrict or reduce a patient’s access to health care that is**  
12       **covered by a health insurance plan or policy.**

13       **“(c) Limit or direct a patient to a certain insurer or certain health**  
14       **insurance plan or policy as a condition of access to a health care**  
15       **provider’s or professional medical entity’s services. This paragraph**  
16       **does not require a responsible person, health care provider or profes-**  
17       **sional medical entity to accept all health insurance plans or policies**  
18       **or limit the responsible person’s, health care provider’s or professional**  
19       **medical entity’s choice of which health insurance plans or policies to**  
20       **accept for the purpose of providing health care.**

21       **“(d) Otherwise hinder or interfere with the professional medical**  
22       **judgment of a health care provider or professional medical entity in**  
23       **administering appropriate health care to a patient.**

24       **“(3)(a) Notwithstanding ORS 731.236 and 731.256 (4), if the Attorney**  
25       **General determines that a responsible person has violated or is likely**  
26       **to violate this section, the Attorney General may issue and serve an**  
27       **investigative demand as provided in ORS 646A.589. Solely for the pur-**  
28       **pose of issuing the investigative demand, the Attorney General may**  
29       **treat a violation of this section as equivalent to a violation of ORS**  
30       **646A.570 to 646A.589.**

