SB 716-3 (LC 1357) 3/20/25 (EKJ/ps)

Requested by Senator GORSEK

## PROPOSED AMENDMENTS TO SENATE BILL 716

1 On page 1 of the printed bill, line 2, after "provisions;" insert "and" and 2 after "243.877," insert "743A.036,".

In line 3, after "750.333" insert a period and delete the rest of the line.

4 Delete lines 5 through 26 and delete pages 2 through 7 and insert:

5 "SECTION 1. Section 2 of this 2025 Act is added to and made a part
 6 of the Insurance Code.

7 "SECTION 2. (1) As used in this section:

"(a) 'Eligible urgent care center' means an urgent care center that
provides services regardless of the form of reimbursement and has
onsite radiology and laboratory services.

11 "(b) 'Urgent care center' means a facility or portion of a facility 12 that is open to the public and provides medical care to individuals on 13 a walk-in and episodic basis for illnesses or injuries that are acute but 14 not life-threatening or do not require emergency medical services.

15 "(2) A policy or certificate of health insurance issued in this state 16 that reimburses the cost of medical care provided by an urgent care 17 center must reimburse the cost of medical services provided by an el-18 igible urgent care center in an amount that is 20 percent higher than 19 the reimbursement paid for the same services when provided by an 20 urgent care center that is not an eligible urgent care center.

21 "(3) This section is exempt from ORS 743A.001.

"(4) The Department of Consumer and Business Services shall adopt
 rules establishing the requirements for qualification as an eligible ur gent care center.

"SECTION 3. ORS 743A.036, as amended by section 154, chapter 73,
Oregon Laws 2024, is amended to read:

6 "743A.036. (1) Whenever any policy of health insurance provides for re-7 imbursement for a primary care or mental health service provided by a li-8 censed physician, the insured under the policy is entitled to reimbursement 9 for such service if provided by a licensed physician associate or a licensed 10 nurse practitioner if the service is within the lawful scope of practice of the 11 physician associate or nurse practitioner.

"(2)(a) **Except as provided in section 2 of this 2025 Act,** the reimbursement of a service described in subsection (1) of this section that is provided by a licensed physician associate or a licensed nurse practitioner who is in an independent practice shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served.

(b) As used in this subsection, 'independent practice' means the licensed physician associate or the licensed nurse practitioner bills insurers for services provided by the physician associate or nurse practitioner using the:

21 "(A) Diagnosis and procedure codes applicable to the services;

<sup>22</sup> "(B) Physician associate's or nurse practitioner's own name; and

23 "(C) National provider identifier for:

<sup>24</sup> "(i) The physician associate or nurse practitioner; and

<sup>25</sup> "(ii) If required by the insurer, the facility in which the physician asso-<sup>26</sup> ciate or nurse practitioner provides the services.

"(3) This section does not apply to group practice health maintenance organizations that are federally qualified pursuant to Title XIII of the Health Maintenance Organization Act or other insurers that employ physicians, licensed physician associates or licensed nurse practitioners to provide pri-

1 mary care or mental health services and do not compensate such
2 practitioners on a fee-for-service basis.

"(4) An insurer may not reduce the reimbursement paid to a licensed
physician in order to comply with this section.

5 "<u>SECTION 4.</u> Section 5 of this 2025 Act is added to and made a part
6 of ORS chapter 414.

7 **"SECTION 5. (1) As used in this section:** 

"(a) 'Eligible urgent care center' has the meaning given that term
in section 2 of this 2025 Act, as further defined by rule by the Department of Consumer and Business Services.

"(b) 'Urgent care center' has the meaning given that term in sec tion 2 of this 2025 Act.

13 "(2) The Oregon Health Authority and a coordinated care organ-14 ization shall reimburse the cost of services provided by an eligible ur-15 gent care center in an amount that is 20 percent higher than the 16 reimbursement paid for the same services when provided by an urgent 17 care center that is not an eligible urgent care center.

"SECTION 6. ORS 243.144, as amended by section 9, chapter 17, Oregon
Laws 2024, is amended to read:

20 "243.144. Benefit plans offered by the Public Employees' Benefit Board 21 that reimburse the cost of medical and other health services and supplies 22 must comply with the requirements for health benefit plan coverage de-23 scribed in:

- 24 "(1) ORS 743A.058;
- <sup>25</sup> "(2) ORS 743A.140;
- 26 "(3) ORS 743A.141;
- 27 "(4) ORS 743B.256;
- 28 "(5) ORS 743B.287 (4);
- 29 "(6) ORS 743B.420;
- 30 "(7) ORS 743B.423;

- 1 "(8) ORS 743B.601;
- 2 "(9) ORS 743B.810;
- 3 "(10) ORS 743A.325; [and]
- 4 "(11) ORS 743A.051 (2)(c)[.]; and
- 5 **"(12) Section 2 of this 2025 Act.**

6 "SECTION 7. ORS 243.144, as amended by sections 9 and 10, chapter 17,

7 Oregon Laws 2024, is amended to read:

8 "243.144. Benefit plans offered by the Public Employees' Benefit Board 9 that reimburse the cost of medical and other health services and supplies 10 must comply with the requirements for health benefit plan coverage de-11 scribed in:

- 12 "(1) ORS 743A.058;
- 13 "(2) ORS 743A.140;
- 14 "(3) ORS 743A.141;
- 15 "(4) ORS 743B.256;
- 16 "(5) ORS 743B.287 (4);
- 17 "(6) ORS 743B.420;
- 18 "(7) ORS 743B.423;
- 19 "(8) ORS 743B.601;
- 20 "(9) ORS 743B.810; [and]
- 21 "(10) ORS 743A.325[.]; and
- 22 "(11) Section 2 of this 2025 Act.

23 "SECTION 8. ORS 243.877, as amended by section 11, chapter 17, Oregon
24 Laws 2024, is amended to read:

<sup>25</sup> "243.877. Benefit plans offered by the Oregon Educators Benefit Board <sup>26</sup> that reimburse the cost of medical and other health services and supplies <sup>27</sup> must comply with the requirements for health benefit plan coverage de-<sup>28</sup> scribed in:

- 29 "(1) ORS 743A.058;
- 30 "(2) ORS 743A.140;

- 1 "(3) ORS 743A.141;
- 2 "(4) ORS 743B.256;
- 3 "(5) ORS 743B.287 (4);
- 4 "(6) ORS 743B.420;
- 5 "(7) ORS 743B.423;
- 6 "(8) ORS 743B.601;
- 7 "(9) ORS 743B.810;
- 8 "(10) ORS 743A.325; [and]
- 9 "(11) ORS 743A.051 (2)(c)[.]; and

10 "(12) Section 2 of this 2025 Act.

<sup>11</sup> "SECTION 9. ORS 243.877, as amended by sections 11 and 12, chapter 17,

12 Oregon Laws 2024, is amended to read:

"243.877. Benefit plans offered by the Oregon Educators Benefit Board that reimburse the cost of medical and other health services and supplies must comply with the requirements for health benefit plan coverage described in:

- 17 "(1) ORS 743A.058;
- 18 "(2) ORS 743A.140;
- 19 "(3) ORS 743A.141;
- 20 "(4) ORS 743B.256;
- 21 "(5) ORS 743B.287 (4);
- 22 "(6) ORS 743B.420;
- 23 "(7) ORS 743B.423;
- 24 "(8) ORS 743B.601;
- 25 "(9) ORS 743B.810; [and]
- 26 "(10) ORS 743A.325[.]; and
- 27 "(11) Section 2 of this 2025 Act.

"<u>SECTION 10.</u> ORS 750.055, as amended by section 3, chapter 24, Oregon
Laws 2024, section 4, chapter 35, Oregon Laws 2024, section 21, chapter 70,
Oregon Laws 2024, and section 162, chapter 73, Oregon Laws 2024, is

1 amended to read:

2 "750.055. (1) The following provisions apply to health care service con3 tractors to the extent not inconsistent with the express provisions of ORS
4 750.005 to 750.095:

<sup>5</sup> "(a) ORS 705.137, 705.138 and 705.139.

6 "(b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385,
7 731.386, 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.485, as pro8 vided in subsection (2) of this section, ORS 731.488, 731.504, 731.508, 731.509,
9 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.730, 731.731,
10 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

"(c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and
732.517 to 732.596, not including ORS 732.582, and ORS 732.650 to 732.689.

"(d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to
733.680 and 733.695 to 733.780.

<sup>15</sup> "(e) ORS 734.014 to 734.440.

16 "(f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to 17 742.162 and 742.518 to 742.542.

"(g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022,
743.023, 743.025, 743.028, 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to
743.109, 743.402, 743.405, 743.406, 743.417, 743.472, 743.492, 743.495, 743.498,
743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650 to 743.656, 743.680
to 743.689, 743.788 and 743.790.

"(h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 23743A.040, 743A.044, 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 24743A.062, 743A.063, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 25743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 26743A.105, 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 27743A.150, 743A.160, 743A.168, 743A.169, 743A.170, 743A.175, 28743A.185. 743A.188, 743A.190, 743A.192, 743A.250, 743A.252, 743A.260, 743A.310 and 29 743A.315 and section 2, chapter 771, Oregon Laws 2013, and section 2, chapter 30

1 70, Oregon Laws 2024, and section 2 of this 2025 Act.

"(i) ORS 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195,  $\mathbf{2}$ 743B.197, 743B.200, 743B.202, 743B.204, 743B.220, 743B.221, 743B.222, 743B.225, 3 743B.227, 743B.250, 743B.252, 743B.253, 743B.254, 743B.255, 743B.256, 743B.257, 4 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310, 743B.320,  $\mathbf{5}$ 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 6 743B.400, 743B.403, 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 7 743B.453, 743B.470, 743B.475, 743B.505, 743B.550, 743B.555, 743B.601, 743B.602 8 and 743B.800 and section 2, chapter 24, Oregon Laws 2024, and section 2, 9 chapter 35, Oregon Laws 2024. 10

11 "(j) The following provisions of ORS chapter 744:

"(A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation
of insurance producers;

"(B) ORS 744.602 to 744.665, relating to the regulation of insurance con sultants; and

"(C) ORS 744.700 to 744.740, relating to the regulation of third party ad ministrators.

"(k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605,
746.607, 746.608, 746.610, 746.615, 746.625, 746.635, 746.650, 746.655, 746.660,
746.668, 746.670, 746.675, 746.680 and 746.690.

"(2) The following provisions of the Insurance Code apply to health care service contractors except in the case of group practice health maintenance organizations that are federally qualified pursuant to Title XIII of the Public Health Service Act:

"(a) ORS 731.485, if the group practice health maintenance organization
wholly owns and operates an in-house drug outlet.

"(b) ORS 743A.024, unless the patient is referred by a physician, physician
associate or nurse practitioner associated with a group practice health
maintenance organization.

30 "(3) For the purposes of this section, health care service contractors are

1 insurers.

"(4) Any for-profit health care service contractor organized under the
laws of any other state that is not governed by the insurance laws of the
other state is subject to all requirements of ORS chapter 732.

"(5)(a) A health care service contractor is a domestic insurance company
for the purpose of determining whether the health care service contractor is
a debtor, as defined in 11 U.S.C. 109.

8 "(b) A health care service contractor's classification as a domestic insur-9 ance company under paragraph (a) of this subsection does not subject the 10 health care service contractor to ORS 734.510 to 734.710.

"(6) The Director of the Department of Consumer and Business Services may, after notice and hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025 and 750.045 that are necessary for the proper administration of these provisions.

"SECTION 11. ORS 750.055, as amended by section 21, chapter 771, 15Oregon Laws 2013, section 7, chapter 25, Oregon Laws 2014, section 82, 16 chapter 45, Oregon Laws 2014, section 9, chapter 59, Oregon Laws 2015, sec-17 tion 7, chapter 100, Oregon Laws 2015, section 7, chapter 224, Oregon Laws 18 2015, section 11, chapter 362, Oregon Laws 2015, section 10, chapter 470, 19 Oregon Laws 2015, section 30, chapter 515, Oregon Laws 2015, section 10, 20chapter 206, Oregon Laws 2017, section 6, chapter 417, Oregon Laws 2017, 21section 22, chapter 479, Oregon Laws 2017, section 10, chapter 7, Oregon 22Laws 2018, section 69, chapter 13, Oregon Laws 2019, section 38, chapter 151, 23Oregon Laws 2019, section 5, chapter 441, Oregon Laws 2019, section 85, 24chapter 97, Oregon Laws 2021, section 12, chapter 37, Oregon Laws 2022, 25section 5, chapter 111, Oregon Laws 2023, section 2, chapter 152, Oregon 26Laws 2023, section 4, chapter 24, Oregon Laws 2024, section 5, chapter 35, 27Oregon Laws 2024, section 22, chapter 70, Oregon Laws 2024, and section 163, 28chapter 73, Oregon Laws 2024, is amended to read: 29

<sup>30</sup> "750.055. (1) The following provisions apply to health care service con-

tractors to the extent not inconsistent with the express provisions of ORS
 750.005 to 750.095:

3 "(a) ORS 705.137, 705.138 and 705.139.

"(b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385,
731.386, 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS 731.488, 731.504, 731.508, 731.509,
731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.730, 731.731,
731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

9 "(c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and
10 732.517 to 732.596, not including ORS 732.582, and ORS 732.650 to 732.689.

11 "(d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 12 733.680 and 733.695 to 733.780.

13 "(e) ORS 734.014 to 734.440.

<sup>14</sup> "(f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to <sup>15</sup> 742.162 and 742.518 to 742.542.

"(g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022,
743.023, 743.025, 743.028, 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to
743.109, 743.402, 743.405, 743.406, 743.417, 743.472, 743.492, 743.495, 743.498,
743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650 to 743.656, 743.680
to 743.689, 743.788 and 743.790.

"(h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 21743A.040, 743A.044, 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 22743A.062, 743A.063, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 23743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 24743A.105, 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 25743A.150, 743A.160, 743A.168, 743A.169, 743A.170, 743A.175, 743A.185, 26743A.188, 743A.190, 743A.192, 743A.250, 743A.252, 743A.260, 743A.310 and 27743A.315 and section 2, chapter 70, Oregon Laws 2024, and section 2 of this 282025 Act. 29

30 "(i) ORS 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195,

743B.197, 743B.200, 743B.202, 743B.204, 743B.220, 743B.221, 743B.222, 743B.225, 1 743B.227, 743B.250, 743B.252, 743B.253, 743B.254, 743B.255, 743B.256, 743B.257,  $\mathbf{2}$ 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310, 743B.320, 3 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 4 743B.400, 743B.403, 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 5 743B.453, 743B.470, 743B.475, 743B.505, 743B.550, 743B.555, 743B.601, 743B.602 6 and 743B.800 and section 2, chapter 24, Oregon Laws 2024, and section 2, 7 chapter 35, Oregon Laws 2024. 8

9 "(j) The following provisions of ORS chapter 744:

"(A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation
of insurance producers;

"(B) ORS 744.602 to 744.665, relating to the regulation of insurance con sultants; and

"(C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

"(k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605,
746.607, 746.608, 746.610, 746.615, 746.625, 746.635, 746.650, 746.655, 746.660,
746.668, 746.670, 746.675, 746.680 and 746.690.

"(2) The following provisions of the Insurance Code apply to health care service contractors except in the case of group practice health maintenance organizations that are federally qualified pursuant to Title XIII of the Public Health Service Act:

"(a) ORS 731.485, if the group practice health maintenance organization
wholly owns and operates an in-house drug outlet.

"(b) ORS 743A.024, unless the patient is referred by a physician, physician
associate or nurse practitioner associated with a group practice health
maintenance organization.

"(3) For the purposes of this section, health care service contractors areinsurers.

30 "(4) Any for-profit health care service contractor organized under the

laws of any other state that is not governed by the insurance laws of the
other state is subject to all requirements of ORS chapter 732.

"(5)(a) A health care service contractor is a domestic insurance company
for the purpose of determining whether the health care service contractor is
a debtor, as defined in 11 U.S.C. 109.

6 "(b) A health care service contractor's classification as a domestic insur-7 ance company under paragraph (a) of this subsection does not subject the 8 health care service contractor to ORS 734.510 to 734.710.

9 "(6) The Director of the Department of Consumer and Business Services 10 may, after notice and hearing, adopt reasonable rules not inconsistent with 11 this section and ORS 750.003, 750.005, 750.025 and 750.045 that are necessary 12 for the proper administration of these provisions.

"SECTION 12. ORS 750.333, as amended by section 5, chapter 24, Oregon
 Laws 2024, and section 23, chapter 70, Oregon Laws 2024, is amended to read:
 "750.333. (1) The following provisions apply to trusts carrying out a mul tiple employer welfare arrangement:

17 "(a) ORS 705.137, 705.138 and 705.139.

"(b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316,
731.324, 731.328, 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414,
731.418 to 731.434, 731.454, 731.484, 731.486, 731.488, 731.512, 731.574 to 731.620,
731.640 to 731.652, 731.804, 731.808 and 731.844 to 731.992.

"(c) ORS 733.010 to 733.050, 733.140 to 733.170, 733.210, 733.510 to 733.680
and 733.695 to 733.780.

<sup>24</sup> "(d) ORS 734.014 to 734.440.

<sup>25</sup> "(e) ORS 742.001 to 742.009, 742.013, 742.016, 742.061 and 742.065.

"(f) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.023,
743.028, 743.029, 743.053, 743.405, 743.406, 743.524, 743.526, 743.535 and
743B.221.

<sup>29</sup> "(g) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.024, 743A.034, <sup>30</sup> 743A.036, 743A.040, 743A.048, 743A.051, 743A.052, 743A.058, 743A.060,

743A.062, 743A.063, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 1 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104,  $\mathbf{2}$ 743A.105, 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 3 743A.150, 743A.160, 743A.168, 743A.169, 743A.170, 743A.175, 743A.180, 4 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252, 743A.260 and  $\mathbf{5}$ 743A.310 and section 2, chapter 70, Oregon Laws 2024, and section 2 of this 6 2025 Act. 7

"(h) ORS 743B.001, 743B.003 to 743B.127 (except 743B.125 to 743B.127),
743B.195, 743B.197, 743B.200, 743B.202, 743B.204, 743B.220, 743B.222, 743B.225,
743B.227, 743B.250, 743B.252, 743B.253, 743B.254, 743B.255, 743B.256, 743B.257,
743B.258, 743B.310, 743B.320, 743B.321, 743B.330, 743B.340, 743B.341, 743B.342,
743B.343, 743B.344, 743B.345, 743B.347, 743B.400, 743B.403, 743B.407, 743B.420,
743B.423, 743B.451, 743B.453, 743B.470, 743B.505, 743B.550, 743B.555 and
743B.601 and section 2, chapter 24, Oregon Laws 2024.

<sup>15</sup> "(i) The following provisions of ORS chapter 744:

"(A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation
 of insurance producers;

"(B) ORS 744.602 to 744.665, relating to the regulation of insurance con sultants; and

20 "(C) ORS 744.700 to 744.740, relating to the regulation of third party ad-21 ministrators.

<sup>22</sup> "(j) ORS 746.005 to 746.140, 746.160 and 746.220 to 746.370.

23 "(2) For the purposes of this section:

"(a) A trust carrying out a multiple employer welfare arrangement is aninsurer.

"(b) References to certificates of authority are references to certificates
 of multiple employer welfare arrangement.

<sup>28</sup> "(c) Contributions are premiums.

29 "(3) The provision of health benefits under ORS 750.301 to 750.341 is the 30 transaction of health insurance. "(4) The Department of Consumer and Business Services may adopt rules
that are necessary to implement the provisions of ORS 750.301 to 750.341.

"SECTION 13. (1) Section 2 of this 2025 Act applies to health benefit
plans issued, renewed or extended on or after January 1, 2027.

"(2) Section 5 of this 2025 Act applies to medical assistance provided
on or after January 1, 2027, and to contracts with coordinated care
organizations for periods beginning on or after January 1, 2027.

"(3) The amendments to ORS 243.144 and 243.877 by sections 6 to 9
of this 2025 Act apply to benefit plans issued, renewed or extended on
or after January 1, 2027.

"(4) The amendments to ORS 750.055 and 750.333 by sections 10 to
12 of this 2025 Act apply to health care service contracts issued, renewed or extended on or after January 1, 2027.".

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