

Requested by Senator HAYDEN

**PROPOSED AMENDMENTS TO  
SENATE BILL 539**

1 On page 1 of the printed bill, line 2, after “facilities” insert a period and  
2 delete the rest of the line and line 3.

3 Delete lines 5 through 22 and delete pages 2 through 11 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2025 Act are added to and**  
5 **made a part of ORS chapter 442.**

6 **“SECTION 2. (1) As used in sections 2 and 3 of this 2025 Act:**

7 **“(a) ‘Facility fee’ means a fee charged or billed by a hospital-based**  
8 **facility that:**

9 **“(A) Is intended to cover building, electronic medical records sys-**  
10 **tems, billing, administrative and operational expenses.**

11 **“(B) Is in addition to and separate from a professional fee for ser-**  
12 **vices of a physician.**

13 **“(b) ‘Health system’ means:**

14 **“(A) A parent corporation of one or more hospitals and any entity**  
15 **affiliated with the parent corporation through ownership, governance,**  
16 **control or membership; or**

17 **“(B) A hospital and any entity affiliated with the hospital through**  
18 **ownership, governance, control or membership.**

19 **“(c) ‘Hospital-based facility’ means an off-campus clinic or provider**  
20 **office that:**

21 **“(A) Is owned by a hospital licensed in this state or the hospital’s**

1 health system;

2 “(B) Is primarily engaged in providing diagnostic and therapeutic  
3 care, including medical history, physical examinations, assessment of  
4 health status and treatment monitoring;

5 “(C) Is not a clinic or office that is exclusively designed for and  
6 providing laboratory, X-ray, testing, therapy, pharmacy or educational  
7 services; and

8 “(D) Is not designated as a rural health clinic.

9 “(2) If a hospital licensed in this state or the hospital’s health sys-  
10 tem owns or operates a hospital-based facility for which a facility fee  
11 is charged or billed, the hospital or the hospital’s health system shall  
12 report annually to the Oregon Health Authority, in the form and  
13 manner prescribed by the authority, the following information, for the  
14 prior calendar year:

15 “(a) The number of hospital-based facilities owned or operated by  
16 the hospital or hospital’s health system that charge or bill a facility  
17 fee;

18 “(b) The number of patient visits at each hospital-based facility for  
19 which a facility fee was charged or billed;

20 “(c) The revenue amount from facility fees of each hospital-based  
21 facility that is received by the hospital or hospital’s health system; and

22 “(d) The range of allowable facility fees paid by public or private  
23 payers at each hospital-based facility.

24 “SECTION 3. (1) If a hospital-based facility charges a facility fee,  
25 the hospital-based facility shall:

26 “(a) Provide notice to each patient prior to the delivery of non-  
27 emergency services;

28 “(b) At each hospital-based facility location, post a notice promi-  
29 nently in locations easily accessible to and visible by patients; and

30 “(c) Post a notice on the hospital-based facility’s website in a lo-

1 **ation that is easily accessible by the public.**

2 **“(2) A notice that is provided or posted under subsection (1) of this**  
3 **section must include a statement that:**

4 **“(a) The hospital-based facility is licensed as part of a hospital; and**

5 **“(b) A patient may be charged or billed a facility fee that may result**  
6 **in a higher out-of-pocket expense for the patient.**

7 **“(3) This section does not apply to laboratory services, imaging**  
8 **services or other ancillary health services that are not provided by**  
9 **staff employed by a hospital or hospital-based facility.”.**

10

---