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On Behalf Of:

Committee: House Committee On Behavioral Health and Health Care

Measure, Appointment or Topic: HB2029

According to Mental Health America, Oregon is ranked 47th in the nation in providing access to mental health services. This problem is exacerbated by the auditing practices of insurers. Mental health providers are not given clear, comprehensive criteria on the documentation standards that'll be applied to them. Some insurers share vague, opaque criteria and others share no criteria at all. And when providers try to contact insurers with their inevitable questions about how to document their files to avoid and/or pass an audit, they get stuck in loops of automated responses, transfers across departments, and employees who know no more than they do. I've seen these problems first hand.

The consequence of these audits is that insurers are recouping thousands of dollars from providers, years after they were paid out. Innocuous filing errors (which are unavoidable given the extent and nature of documentation requirements that accompany each file) are costing providers the entirety of their fees for a particular session. If an error was unnoticed and repeated across files it could quickly result in the disgorgement of thousands of dollars of benefits from these providers, many of whom provide services through their own small business. As a result, providers are opting out of working with insurers to avoid the risk of an audit that could drive their business into closure or bankruptcy. This shrinks the pool of providers Oregonians in need of mental health services can affordably access.

Everyone suffers under the current system except for the insurers weaponizing the auditing system to claw back fees and further enrich themselves.

Human errors are unavoidable. They're also more likely when the standards are neither clear nor reasonable. HB 2029 will apply much-needed regulations and restrictions to insurer audits, providing security to providers and expanding services for Oregonians.

Insurers will not reign themselves in unless legally required to do so. This bill is a step towards remedying the power differential and empowering Oregonians.