

HB 4155-6  
(LC 299)  
2/13/26 (EKJ/ps)

Requested by HOUSE COMMITTEE ON HEALTH CARE (at the request of Representative Rob Nosse)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4155**

1       On page 1 of the printed bill, line 2, after “provisions;” delete the rest  
2 of the line and delete line 3 and insert “and amending 731.292, 731.804,  
3 743B.005.”.

4       On page 2, delete lines 7 through 12 and insert:

5       “(3) The coverage required by subsection (2) of this section:

6       “(a) Includes, but is not limited to:

7       “(A) A minimum of three completed oocyte retrievals with unlimited  
8 embryo transfers in accordance with guidelines of the American Society for  
9 Reproductive Medicine, or a successor organization, using single embryo  
10 transfer if recommended by a licensed treating practitioner and medically  
11 effective.

12       “(B) Six completed egg retrievals per lifetime, with unlimited embryo  
13 transfers in accordance with the guidelines of the American Society for Re-  
14 productive Medicine, using single embryo transfer when recommended and  
15 medically appropriate.

16       “(C) Assisted hatching.

17       “(D) Cryopreservation and thawing of embryos.

18       “(E) Embryo biopsy.

19       “(F) Fresh and frozen embryo transfers.

20       “(G) Storage of embryos.

21       “(H) In vitro fertilization, including in vitro fertilization using donor

1   eggs, sperm or embryos, and in vitro fertilization in which the embryo is  
2   transferred to a gestational carrier or surrogate.

3    “(I) Intracytoplasmic sperm injection.

4    “(J) Storage of oocytes, sperm and tissue.

5    “(K) Intrauterine insemination.

6    “(L) Cryopreservation of ovarian tissue.

7    “(M) Cryopreservation of testicular tissue.

8    “(N) Cryopreservation and thawing of eggs and sperm.

9    “(O) Consultation and diagnostic testing.

10    “(P) Medications.

11    “(Q) Ovulation induction.

12    “(R) Surgery, including microsurgical sperm aspiration.

13    “(S) Medical and laboratory services that reduce excess embryo creation  
14    through egg cryopreservation and thawing.”.

15    After line 26, insert:

16    “(6) This section does not require a health benefit plan offered by an  
17    insurer described in ORS 743A.067 (7)(e) to reimburse the cost of:

18      “(a) Embryo transfer procedures as part of the coverages described in  
19      subsection (3)(a)(A) and (B) of this section; and

20      “(b) Procedures described in subsection (3)(a)(C) to (I) of this section.

21    “(7) The coverage requirements described in this section do not apply to  
22    health benefit plans offered by the Oregon Educators Benefit Board and  
23    Public Employees’ Benefit Board, unless the Oregon Educators Benefit Board  
24    or Public Employees’ Benefit Board elect to provide the coverage.”.

25    In line 27, delete “(6)” and insert “(8)”.

26    Delete lines 28 through 45.

27    On page 3, delete lines 1 through 7.

28    In line 8, delete “4” and insert “3”.

29    On page 6, delete lines 19 through 45.

30    On page 7, delete lines 1 through 39 and insert:

1       **“SECTION 4. (1) The Department of Consumer and Business Ser-**  
2       **vices shall administer a program to provide reimbursement for the**  
3       **costs of procedures described in section 2 (6) of this 2026 Act that are**  
4       **incurred by individuals enrolled in health benefit plans described in**  
5       **ORS 743A.067 (7)(e). The department shall establish application pro-**  
6       **cesses for the program and contract with a third party administrator**  
7       **or health insurance carrier to process claims for enrollees in the pro-**  
8       **gram.**

9       **“(2) The department may adopt rules necessary to carry out the**  
10      **provisions of this section.**

11      **“SECTION 5. The Family Building Fund is established in the State**  
12      **Treasury, separate and distinct from the General Fund, consisting of**  
13      **moneys collected from the portion of assessments imposed under ORS**  
14      **731.804 (3) for the costs of administering the program described in**  
15      **section 4 of this 2026 Act. Interest earned by the Family Building Fund**  
16      **shall be credited to the fund. Moneys in the Family Building Fund are**  
17      **continuously appropriated to the Department of Consumer and Busi-**  
18      **ness Services to carry out the provisions of section 4 of this 2026 Act.**

19      **“SECTION 6.** ORS 731.292 is amended to read:

20      **“731.292. (1) Except as provided in subsections (2), (3), [and] (4) and (5)**  
21      **of this section, all fees, charges and other moneys received by the Depart-**  
22      **ment of Consumer and Business Services or the Director of the Department**  
23      **of Consumer and Business Services under the Insurance Code shall be de-**  
24      **posited in the fund created by ORS 705.145 and are continuously appropriated**  
25      **to the department for the payment of the expenses of the department in**  
26      **carrying out the Insurance Code.**

27      **“(2) All taxes and penalties paid pursuant to the Insurance Code shall be**  
28      **paid to the director and after deductions of refunds shall be paid by the di-**  
29      **rector to the State Treasurer, at the end of every calendar month or more**  
30      **often in the director’s discretion, for deposit in the General Fund to become**

1 available for general governmental expenses.

2       “(3) All premium taxes received by the director pursuant to ORS 731.820  
3 shall be paid by the director to the State Treasurer for deposit in the State  
4 Fire Marshal Fund.

5       “(4) Assessments received by the department under sections 3 and 5,  
6 chapter 538, Oregon Laws 2017, and penalties received by the department  
7 under section 6, chapter 538, Oregon Laws 2017, shall be paid into the State  
8 Treasury and credited to the Health System Fund established under section  
9 2, chapter 538, Oregon Laws 2017.

10       **“(5) Assessments received by the department under ORS 731.804 (3)  
11 shall be paid to the Family Building Fund established under section 5  
12 of this 2026 Act.**

13       **“SECTION 7.** ORS 731.292, as amended by section 16, chapter 4, Oregon  
14 Laws 2025, is amended to read:

15       “731.292. (1) Except as provided in subsections (2), (3) and (4) of this sec-  
16 tion, all fees, charges and other moneys received by the Department of Con-  
17 sumer and Business Services or the Director of the Department of Consumer  
18 and Business Services under the Insurance Code shall be deposited in the  
19 fund created by ORS 705.145 and are continuously appropriated to the de-  
20 partment for the payment of the expenses of the department in carrying out  
21 the Insurance Code.

22       “(2) All taxes and penalties paid pursuant to the Insurance Code shall be  
23 paid to the director and after deductions of refunds shall be paid by the di-  
24 rector to the State Treasurer, at the end of every calendar month or more  
25 often in the director’s discretion, for deposit in the General Fund to become  
26 available for general governmental expenses.

27       “(3) All premium taxes received by the director pursuant to ORS 731.820  
28 shall be paid by the director to the State Treasurer for deposit in the State  
29 Fire Marshal Fund.

30       **“(4) Assessments received by the department under ORS 731.804 (3)**

1 **shall be paid to the Family Building Fund established under section 5  
2 of this 2026 Act.**

3 **“SECTION 8.** ORS 731.804 is amended to read:

4 “731.804. (1) Except as otherwise provided in this section, each authorized  
5 insurer doing business in this state shall pay assessments that the Director  
6 of the Department of Consumer and Business Services determines are neces-  
7 sary to support the legislatively authorized budget of the Department of  
8 Consumer and Business Services with respect to functions of the department  
9 under the Insurance Code. The director shall determine the assessments ac-  
10 cording to one or more percentage rates established by the director by rule.  
11 The director shall specify in the rule when assessments shall be made and  
12 payments shall be due. The premium-weighted average of the percentage  
13 rates may not exceed nine-hundredths of one percent of the gross amount of  
14 premiums received by an insurer or the insurer’s insurance producers from  
15 and under the insurer’s policies covering direct domestic risks, after deduct-  
16 ing the amount of return premiums paid and the amount of dividend pay-  
17 ments made to policyholders with respect to such policies. In the case of  
18 reciprocal insurers, the amount of savings paid or credited to the accounts  
19 of subscribers shall be deducted from the gross amount of premiums. In es-  
20 tablishing the percentage rate or rates, the director shall use the most recent  
21 premium data approved by the director. In establishing the amounts to be  
22 collected under this subsection, the director shall take into consideration the  
23 expenses of the department for administering the Insurance Code and the  
24 fees collected under subsection (2) of this section. When the director estab-  
25 lishes two or more percentage rates:

26 “(a) Each rate shall be based on such expenses of the department ascribed  
27 by the director to the line of insurance for which the rate is established.

28 “(b) Each rate shall be applied to the gross amount of premium received  
29 by an insurer or its insurance producers for the applicable line of insurance  
30 as provided in this subsection.

1       “(2) The director may collect fees for specific services provided by the  
2 department under the Insurance Code according to a schedule of fees estab-  
3 lished by the director by rule. The director may collect such fees in advance.  
4 In establishing the schedule for fees, the director shall take into consider-  
5 ation the cost of each service for which a fee is imposed.

6       “(3)(a) Notwithstanding the provisions of ORS 743A.067 (7)(e) and  
7 743A.067 (9), for the purpose of mitigating inequity in the health insurance  
8 market, the director may assess a fee on any insurer that offers a health  
9 benefit plan, as defined in ORS 743B.005, that is exempt from a provision of  
10 ORS chapter 743A or other provision of the Insurance Code that requires  
11 specified coverage by health benefit plans.

12       “(b) Any fees collected under paragraph (a) of this subsection must be the  
13 actuarial equivalent of costs attributed to the provision and administration  
14 of the required coverage by an insurer that is not exempt.

15       “(c) Nothing in this section limits the authority of the director to enforce  
16 the provisions of ORS chapter 743A if an insurer unlawfully fails to comply.

17       “(d) Notwithstanding ORS 646A.628, fees paid in accordance with para-  
18 graph (a) of this subsection shall be deposited in the [*General Fund to become*  
19 *available for general governmental expenses*] **Family Building Fund estab-**  
20 **lished under section 5 of this 2026 Act.**

21       “(4) Establishment and amendment of the schedule of fees under sub-  
22 section (2) of this section are subject to prior approval of the Oregon De-  
23 partment of Administrative Services and shall be within the budget  
24 authorized by the Legislative Assembly as that budget may be modified by  
25 the Emergency Board.

26       “(5) The director may not collect an assessment under subsection (1) of  
27 this section from any of the following persons:

28       “(a) A fraternal benefit society complying with ORS chapter 748.

29       “(b) Any person or class of persons designated by the director by rule.

30       “(6) The director may not collect an assessment under subsection (1) of

1 this section with respect to premiums received from any of the following  
2 policies:

3 "(a) Workers' compensation insurance policies.

4 "(b) Wet marine and transportation insurance policies.

5 "(c) Any category of policies designated by the director by rule.".

6 Delete lines 42 through 45 and delete page 8.

7 \_\_\_\_\_