

**Minority Report**  
**B-Engrossed**  
**House Bill 3088**

Ordered by the House June 23  
Including House Amendments dated May 8 and House Minority Report  
Amendments dated June 23

Sponsored by nonconcurring members of the House Committee on Elections, Ethics and Rules: Representatives BERGER, ESQUIVEL

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Prohibits hospitals from billing to or attempting to collect from uninsured patients charges that exceed either Medicare rate or rate paid by hospital's highest volume commercial insurer.]* Requires hospital to provide patients with written notice explaining hospital's policy for charges to uninsured patients and to post notices of policy in conspicuous locations. *[Allows patient to claim treble damages and attorney fees if hospital bills or attempts to collect charges in violation of Act.]*  
*[Takes effect on 91st day following adjournment sine die.]*

**A BILL FOR AN ACT**

1  
2 Relating to hospitals.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 441.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "Health benefit plan" has the meaning given that term in ORS 743.730.

7 (b) "Hospital" has the meaning given that term in ORS 442.015, exclusive of special in-  
8 patient care and inpatient psychiatric facilities operated by the state.

9 (c) "Uninsured" means not receiving state medical assistance and not enrolled in Medi-  
10 care or a private health benefit plan.

11 (2) A hospital shall provide patients with a written notice explaining the hospital's policy  
12 for charges to uninsured patients and providing contact information for a hospital employee  
13 or office from which a person may obtain a copy of and further information about the policy.  
14 The hospital also shall provide notice to patients who receive emergency or outpatient care  
15 and who may be billed for that care, but who were not admitted to the hospital. The notice  
16 shall be provided in English and in languages other than English as required by state and  
17 federal law.

18 (3) The hospital shall post notices of the hospital's policy on charges to uninsured pa-  
19 tients in conspicuous locations that are visible to the public including, but not limited to:

20 (a) Emergency departments;

21 (b) Billing offices;

22 (c) Admitting offices; and

23 (d) Patient waiting areas in outpatient care settings.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

