

## HOUSE AMENDMENTS TO HOUSE BILL 3490

By COMMITTEE ON HEALTH CARE

May 4

1 On page 1 of the printed bill, line 2, after “loss;” delete the rest of the line and insert “creating  
2 new provisions; and amending ORS 742.518.”.

3 Delete lines 4 through 31 and delete page 2 and insert:

4 “**SECTION 1.** ORS 742.518 is amended to read:

5 “742.518. As used in ORS 742.518 to 742.542:

6 “(1) ‘Evaluation services’ means physical examinations or reviews of medical records of benefi-  
7 ciaries conducted at the request of an insurer by either an employee of the insurer or a third-party  
8 medical record or bill review service to determine whether the provision or continuation of medical  
9 services is necessary or reasonable.

10 “(2) ‘Managed care services’ means any system of health care delivery that attempts to control  
11 or coordinate use of health care services in order to contain health care expenditures or improve  
12 quality of health care services.

13 “(3) ‘Motor vehicle’ means a self-propelled land motor vehicle or trailer, other than:

14 “(a) A farm-type tractor or other self-propelled equipment designed for use principally off public  
15 roads, while not upon public roads;

16 “(b) A vehicle operated on rails or crawler-treads; or

17 “(c) A vehicle located for use as a residence or premises.

18 “(4) ‘Motorcycle’ and ‘moped’ have the meanings given those terms in ORS 801.345 and 801.365.

19 “(5) ‘Occupying’ means in, or upon, or entering into or alighting from.

20 “(6) ‘Pedestrian’ means a person while not occupying a self-propelled vehicle other than a  
21 wheelchair or a similar low-powered motorized or mechanically propelled vehicle that is designed  
22 specifically for use by a physically disabled person and that is determined to be medically necessary  
23 for the occupant of the wheelchair or other low-powered vehicle.

24 “(7) ‘Personal injury protection benefits’ means the benefits described in ORS 742.518 to 742.542.

25 “(8) ‘Private passenger motor vehicle’ means a four-wheel passenger or station wagon type motor  
26 vehicle not used as a public or livery conveyance, and includes any other four-wheel motor vehicle  
27 of the utility, pickup body, sedan delivery or panel truck type not used for wholesale or retail de-  
28 livery other than farming, a self-propelled mobile home and a farm truck.

29 “(9) ‘**Proof of loss**’ means **documentation that allows an insurer to determine whether a**  
30 **person is entitled to personal injury protection benefits and the amount of any benefit that**  
31 **is due.**

32 “[(9)] (10) ‘Provider’ has the meaning given that term in ORS 743.801.

33 “**SECTION 2. Section 3 of this 2007 Act is added to and made a part of ORS 742.518 to**  
34 **742.542.**

35 “**SECTION 3. If personal injury protection benefits are paid based on information that**

1 **appeared to establish proof of loss and the insurer paying the benefits later determines the**  
2 **insurer was not responsible for the payment, the insurer shall give notice and explanation**  
3 **to the provider that the payment was incorrectly issued. Immediately after receiving the**  
4 **notice and explanation the provider shall promptly repay the insurer.”.**

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