

SENATE AMENDMENTS TO SENATE BILL 183

By COMMITTEE ON HEALTH AND HUMAN SERVICES

May 7

1 On page 1 of the printed bill, line 3, after “2,” insert “6.”

2 In line 10, after “677” insert “and nurse practitioners certified by the Oregon State Board of
3 Nursing”.

4 Delete lines 12 and 13 and insert “Rural Health that applied as of January 1, 2004, for purposes
5 of ORS 315.613, excluding urbanized areas, as defined by the United States Census Bureau according
6 to the most recent federal decennial census, pursuant to the authority of the United States Depart-
7 ment of Commerce under 13 U.S.C. 141;”.

8 In line 14, after “medicine” insert “or are currently certified as a nurse practitioner” and delete
9 “and”.

10 In line 16, delete the period and insert “; and

11 “(d) Serve patients with Medicare coverage and patients receiving medical assistance provided
12 under Medicaid in at least the same proportion to their total number of patients as the Medicare
13 and Medicaid populations represent to the total number of patients in need of care in the rural areas
14 of the counties in which the doctors practice, as determined by the Office of Rural Health. The Of-
15 fice of Rural Health shall establish by rule criteria for and procedures for the annual attestation
16 of compliance by participating doctors with the requirements of this paragraph. The requirements
17 of this paragraph do not apply to nurse practitioners participating in the program.”.

18 In line 23, after “doctors” insert “and nurse practitioners”.

19 On page 2, line 7, delete “exceed” and insert “exceeds”.

20 After line 9, insert:

21 “(6) As used in this section:

22 “(a) ‘Medicaid’ means medical assistance provided under 42 U.S.C. 1396a, section 1902 of the
23 Social Security Act.

24 “(b) ‘Medicare’ means the ‘Health Insurance for the Aged Act,’ Title XVIII of the Social Security
25 Amendments of 1965.”.

26 In line 29, after “doctors” insert “and nurse practitioners”.

27 In line 35, delete “of medicine and doctors of osteopathy” and insert “and nurse practitioners”.

28 In line 36, delete “Up to” and after “obstetrics” insert “and nurse practitioners certified for
29 obstetric care”.

30 In line 37, delete “Up to”.

31 In line 38, delete “and”.

32 Delete line 39 and insert:

33 “(C) Up to 40 percent for doctors and nurse practitioners engaging in one or more of the fol-
34 lowing practices:

35 “(i) Family practice without obstetrics.

- 1 “(ii) General practice.
- 2 “(iii) Internal medicine.
- 3 “(iv) Geriatrics.
- 4 “(v) Pulmonary medicine.
- 5 “(vi) Pediatrics.
- 6 “(vii) General surgery.
- 7 “(viii) Anesthesiology; and

8 “(D) Up to the following percentages for doctors and nurse practitioners other than those in-
9 cluded in subparagraph (A), (B) or (C) of this paragraph:

- 10 “(i) 35 percent, for calendar year 2008.
- 11 “(ii) 25 percent, for calendar year 2009.
- 12 “(iii) 15 percent, for calendar year 2010.
- 13 “(iv) 15 percent, for calendar year 2011.

14 “(b) Notwithstanding section 1 (1)(a), chapter 781, Oregon Laws 2003, a doctor who meets all the
15 criteria for eligibility for a reduction in premiums established in section 1 (1)(b), (c) and (d), chapter
16 781, Oregon Laws 2003, who has a practice in a rural area south of Medford, as defined by the Office
17 of Rural Health as of January 1, 2004, and who specializes in obstetrics, in family practice and
18 provides obstetrical services, or in general practice and provides obstetrical services, is entitled to
19 a reduction in premiums as provided in paragraph (a)(B) of this subsection.”.

20 In line 40, delete “(b)” and insert “(c)”.

21 In line 41, after “for” delete the rest of the line and insert “lowering or eliminating the amount
22 provided for premium reductions for the doctors and nurse practitioners eligible for a reduction in
23 premiums under paragraph (a)(D) of this subsection. If, after eliminating all premium reductions for
24 the doctors and nurse practitioners eligible for a reduction in premiums under paragraph (a)(D) of
25 this subsection, the remaining funds are insufficient to provide the maximum reductions provided
26 under the plan, the amounts provided for a reduction in premiums for doctors and nurse practition-
27 ers eligible under paragraph (a)(C) of this subsection shall be lowered or eliminated.”.

28 In line 42, delete “(c)” and insert “(d)”.

29 In line 44, after the period insert “However, the premium reduction for a doctor or nurse prac-
30 titioner referred to in paragraph (a)(C) or (D) of this subsection shall be the lesser of the percentage
31 of the actual premium or the premium paid by the doctor or nurse practitioner for calendar year
32 2007. For a doctor or nurse practitioner who first becomes eligible for the program on or after
33 January 1, 2008, the premium reduction shall be the lesser of the percentage of either the actual
34 premium or the premium for the first eligibility year determined according to 2007-based rates. When
35 determining the lesser amount under this paragraph, any step increases in the premium owing to the
36 claims-made nature of the policy may not be considered.”.

37 In line 45, delete “(d) and insert “(e)”.

38 On page 3, after line 15, insert:

39 “(5) The plan as modified under subsection (4) of this section must provide that a doctor or
40 nurse practitioner whose coverage is provided through a health care facility as defined by ORS
41 442.400, and who otherwise meets the requirements of section 1 (1), chapter 781, Oregon Laws 2003,
42 is eligible to participate in the program if the Office of Rural Health determines that the doctor or
43 nurse practitioner, as of the later of January 1, 2007, or the date on which the doctor or nurse
44 practitioner first commences a rural practice:

- 45 “(a) Is not an employee of the health care facility;

1 “(b) Is covered by a medical professional liability insurance policy that names the doctor or
2 nurse practitioner and that separately calculates the premium for the doctor or nurse practitioner;
3 and

4 “(c) Fully reimburses the health care facility for the premium calculated for the doctor or nurse
5 practitioner.

6 “**SECTION 2a.** Section 6, chapter 781, Oregon Laws 2003, is amended to read:

7 “**Sec. 6.** (1) If an insurer obtains coverage with the State Accident Insurance Fund Corporation
8 for medical professional liability insurance issued by the insurer to a doctor **or nurse practitioner**
9 to whom section 1, **chapter 781, Oregon Laws 2003**, [*of this 2003 Act*] applies, the insurer shall
10 reduce the premium charged to the doctor **or nurse practitioner** in a manner that fully recognizes
11 savings made available by coverage offered under section 1, **chapter 781, Oregon Laws 2003** [*of this*
12 *2003 Act*].

13 “(2) An insurer to which subsection (1) of this section applies shall demonstrate the difference
14 in its rates for medical professional liability insurance for purposes of subsection (1) of this section
15 in its filing of rates with the Director of the Department of Consumer and Business Services.”.

16 In line 29, delete “2014” and insert “2012”.