

HOUSE AMENDMENTS TO HOUSE BILL 2325

By COMMITTEE ON CONSUMER PROTECTION

March 25

1 In line 2 of the printed bill, after "ORS" insert "742.524 and".

2 After line 16, insert:

3 "**SECTION 2.** ORS 742.524 is amended to read:

4 "742.524. (1) Personal injury protection benefits as required by ORS 742.520 shall consist of the
5 following payments for the injury or death of each person:

6 "(a) All reasonable and necessary expenses of medical, hospital, dental, surgical, ambulance and
7 prosthetic services incurred within [*one year*] **two years** after the date of the person's injury, but
8 not more than \$15,000 in the aggregate for all such expenses of the person. Expenses of medical,
9 hospital, dental, surgical, ambulance and prosthetic services shall be presumed to be reasonable and
10 necessary unless the provider is given notice of denial of the charges not more than 60 calendar
11 days after the insurer receives from the provider notice of the claim for the services. At any time
12 during the first 50 calendar days after the insurer receives notice of claim, the provider shall, within
13 10 business days, answer in writing questions from the insurer regarding the claim. For purposes
14 of determining when the 60-day period provided by this paragraph has elapsed, counting of days
15 shall be suspended if the provider does not supply written answers to the insurer within 10 days and
16 shall not resume until the answers are supplied.

17 "(b) If the injured person is usually engaged in a remunerative occupation and if disability
18 continues for at least 14 days, 70 percent of the loss of income from work during the period of the
19 injured person's disability until the date the person is able to return to the person's usual occupa-
20 tion. This benefit is subject to a maximum payment of \$1,250 per month and a maximum payment
21 period in the aggregate of 52 weeks. As used in this paragraph, 'income' includes but is not limited
22 to salary, wages, tips, commissions, professional fees and profits from an individually owned business
23 or farm.

24 "(c) If the injured person is not usually engaged in a remunerative occupation and if disability
25 continues for at least 14 days, the expenses reasonably incurred by the injured person for essential
26 services that were performed by a person who is not related to the injured person or residing in the
27 injured person's household in lieu of the services the injured person would have performed without
28 income during the period of the person's disability until the date the person is reasonably able to
29 perform such essential services. This benefit is subject to a maximum payment of \$30 per day and
30 a maximum payment period in the aggregate of 52 weeks.

31 "(d) All reasonable and necessary funeral expenses incurred within one year after the date of
32 the person's injury, but not more than \$5,000.

33 "(e) If the injured person is a parent of a minor child and is required to be hospitalized for a
34 minimum of 24 hours, \$25 per day for child care, with payments to begin after the initial 24 hours
35 of hospitalization and to be made for as long as the person is unable to return to work if the person

1 is engaged in a remunerative occupation or for as long as the person is unable to perform essential
2 services that the person would have performed without income if the person is not usually engaged
3 in a remunerative occupation, but not to exceed \$750.

4 “(2) With respect to the insured person and members of that person’s family residing in the same
5 household, an insurer may offer forms of coverage for the benefits required by subsection (1)(a), (b)
6 and (c) of this section with deductibles of up to \$250.”

7 In line 17, delete “2” and insert “3” and delete “742.544 by section 1” and insert “742.524 and
8 742.544 by sections 1 and 2”.

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