

# House Bill 2432

Sponsored by COMMITTEE ON CONSUMER PROTECTION

## 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 **as introduced**.

Provides for public comment period and public hearings on certain premium rate filings for health insurance.

## A BILL FOR AN ACT

1 Relating to insurance; creating new provisions; and repealing ORS 731.240.

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

3 **SECTION 1. Sections 2 and 3 of this 2009 Act are added to and made a part of ORS**  
4 **chapter 743.**

5 **SECTION 2. (1) When an insurer files a schedule or table of premium rates for health**  
6 **insurance under ORS 743.018, prior to approving, disapproving or modifying the premium**  
7 **rates, the Director of the Department of Consumer and Business Services shall open a 30-day**  
8 **public comment period on the rate filing.**

9 **(2) Upon the director's own initiative, the director may conduct a public hearing under**  
10 **section 3 of this 2009 Act on a rate filing for health insurance submitted under ORS 743.018.**

11 **(3) The director shall conduct a public hearing under section 3 of this 2009 Act on a rate**  
12 **filing for health insurance submitted under ORS 743.018 if the director receives a written**  
13 **request from:**

14 **(a) The insurer who submitted the rate filing, if the insurer also submits comments that**  
15 **address whether the rate filing is consistent with the standards for review of a rate filing**  
16 **established under ORS 742.005; or**

17 **(b) Ten persons who would be affected by the rate filing if approved, or an association**  
18 **having not fewer than 10 members who would be subject to the rate filing if approved, who**  
19 **submit comments that address whether the rate filing is consistent with the standards for**  
20 **review of a rate filing under ORS 742.005.**

21 **(4) The director shall approve, disapprove or modify a rate filing for health insurance**  
22 **submitted under ORS 743.018:**

23 **(a) Within five days after the close of the public comment period if a public hearing is**  
24 **not conducted; or**

25 **(b) Within 30 days after the public hearing if a public hearing is conducted pursuant to**  
26 **subsection (2) or (3) of this section.**

27 **(5) The director may extend the time limits in subsection (4) of this section for one ad-**  
28 **ditional period not to exceed 30 days.**

29 **(6) The director shall give written notice of the approval, disapproval or modification of**  
30 **a rate filing for health insurance submitted under ORS 743.018 to the insurer who submitted**  
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**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.

1 the rate filing. The notice must comply with ORS 183.415.

2 (7) Any person who submitted comments that address whether the rate filing is consist-  
3 ent with the standards for review of a rate filing under ORS 742.005 and who is affected by  
4 the decision of the director to approve, disapprove or modify a premium rate filing under  
5 subsection (4) of this section may request a hearing in accordance with the provisions of ORS  
6 chapter 183 applicable to a contested case proceeding.

7 **SECTION 3.** (1) The Director of the Department of Consumer and Business Services shall  
8 hold a hearing pursuant to section 2 (2) or (3) of this 2009 Act in accordance with this sec-  
9 tion. If the hearing is in response to a written request under section 2 (3) of this 2009 Act,  
10 the insurer, person or association must state the grounds for requesting the public hearing.

11 (2) A public hearing under this section is conducted for the purpose of obtaining addi-  
12 tional information on a rate filing and is not a contested case as defined in ORS 183.310 and  
13 is not subject to the requirements of ORS 183.600 to 183.690.

14 (3) The director shall give notice of a public hearing under this section at least 21 days  
15 before the public hearing to the insurer, person or association that requested the public  
16 hearing and to persons who have requested notice of the public hearing.

17 **SECTION 4.** ORS 731.240 is repealed.

18 **SECTION 5.** Sections 2 and 3 of this 2009 Act apply to any schedule or table of premium  
19 rates for health insurance filed under ORS 743.018 on or after April 1, 2010.

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