

Enrolled
House Bill 3666

Sponsored by COMMITTEE ON HEALTH CARE (at the request of Blue Cross/Blue Shield of Oregon)

CHAPTER

AN ACT

Relating to electronic health insurance administration; and declaring an emergency.

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

SECTION 1. Sections 2, 3 and 4 of this 2010 Act are added to and made a part of the Insurance Code.

SECTION 2. As used in sections 3 and 4 of this 2010 Act:

(1) "Explanation of benefits" means claim processing advice or notification of action on claims.

(2) "Payment, remittance and reconciliation information" means all information required for premium billing or invoicing, facilitating timely electronic payment of premiums due, delinquency notification, final billing notification or termination of coverage.

(3) "Plan renewal information" means all correspondence and materials related to an offer to renew insurance provided by an insurer to a health insurance purchaser.

(4) "Quote information" means all correspondence and materials related to an offer to insure or a rate quotation provided by an insurer to a health insurance purchaser.

(5) "Sale and enrollment information" means all information documenting the sale of a policy or certificate of health insurance, the renewal of a policy or certificate of health insurance, the enrollment of members in a group health insurance plan or the enrollment of an individual in an individual health insurance plan, including but not limited to:

(a) The application for insurance;

(b) Initial and ongoing documentation required by the insurer to be provided by an insured to establish eligibility and enrollment, adjudicate and process claims and prove prior creditable coverage or duplicate coverage;

(c) Premium information;

(d) Documentation of the payment of a premium; and

(e) Membership identification cards.

SECTION 3. (1) In the administration of small employer group health insurance or individual health insurance, an insurer may communicate one or more of the following by electronic means:

(a) Quote information.

(b) Sale and enrollment information.

(c) Payment, remittance and reconciliation information.

(d) Explanation of benefits.

(e) Plan renewal information.

(f) Notifications required by law.

(g) Other communications, documentation, revisions or materials otherwise provided on paper.

(2) Electronic administration of small employer group or individual health insurance plans shall be transacted using secure systems specifically designed by the insurer for the purpose of electronic health insurance administration.

SECTION 4. (1) An insurer who elects to offer discounted rates for a health insurance plan utilizing electronic administration shall include the schedule of discounts for utilization of electronic administration as part of a small employer group health insurance or individual health insurance rate filing. The rate discounts may be graduated and must be proportionate to the amount of administrative cost savings the insurer anticipates as a result of the use of electronic transactions described in section 3 of this 2010 Act.

(2) Discounted rates allowed under this section shall be applied uniformly to all similarly situated small employer group or individual health insurance purchasers of an insurer.

(3) Discounts in premium rates under this section are not premium rate variations for purposes of ORS 743.737 (8) or 743.767.

SECTION 5. Sections 2, 3 and 4 of this 2010 Act do not require an insurer to offer discounted rates for a health insurance plan utilizing electronic administration or require a small employer group or an individual health insurance purchaser to use electronic administration.

SECTION 6. This 2010 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect on its passage.

Passed by House February 11, 2010

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Chief Clerk of House

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Speaker of House

Passed by Senate February 20, 2010

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President of Senate

Received by Governor:

.....M,....., 2010

Approved:

.....M,....., 2010

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Governor

Filed in Office of Secretary of State:

.....M,....., 2010

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Secretary of State