

House Bill 2271

Sponsored by Representative KOTEK, Senator MONNES ANDERSON; Representatives DEMBROW, GREENLICK, NATHANSON, Senator BATES (Pre-session filed.)

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**.

Prohibits health care facilities from charging or attempting to collect from patient or third party payer for cost of serious reportable event for which Medicare denies payment. Authorizes civil penalty not to exceed \$1 million for each violation.

Requires health care facilities to use evidence-based surgical checklists if surgery performed at facility.

A BILL FOR AN ACT

1
2 Relating to patient safety.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 441.**

5 **SECTION 2. A health care facility may not charge or attempt to collect from a patient**
6 **or a third party payer for the cost of any serious reportable event identified by the National**
7 **Quality Forum for which Medicare denies payment in full or in part.**

8 **SECTION 3. The Director of the Oregon Health Authority may impose a civil penalty in**
9 **the manner provided by ORS 183.745 on a person for violation of section 2 of this 2011 Act**
10 **in an amount not to exceed \$1 million for each violation.**

11 **SECTION 4. Section 5 of this 2011 Act is added to and made a part of ORS 441.015 to**
12 **441.087.**

13 **SECTION 5. The Oregon Health Authority shall adopt rules pursuant to ORS 441.025 to**
14 **require all health care facilities in which surgical procedures are performed to use**
15 **evidence-based surgical checklists approved by the authority.**

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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.