

Enrolled
House Bill 3616

Sponsored by Representative HOYLE, Senators BATES, DEVLIN, ROSENBAUM; Representatives BARKER, BEYER, BOONE, BUCKLEY, CANNON, CLEM, COWAN, DEMBROW, DOHERTY, FREDERICK, HARKER, HUNT, KOTEK, NOLAN, SCHAUFLEER, TOMEI, WITT, Senators COURTNEY, MONNES ANDERSON, PROZANSKI

CHAPTER

AN ACT

Relating to health insurance coverage of mastectomy; amending ORS 743A.110.

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

SECTION 1. ORS 743A.110 is amended to read:

743A.110. (1) **As used in this section, "mastectomy" means the surgical removal of all or part of a breast or a breast tumor suspected to be malignant.**

[(1)] (2) All insurers offering a health benefit plan as defined in ORS 743.730 shall provide payment, coverage or reimbursement for **mastectomy and for** the following [*mastectomy-related*] services **related to a mastectomy** as determined by the attending physician and enrollee to be part of the enrollee's course or plan of treatment:

- (a) All stages of reconstruction of the breast on which a mastectomy was performed, including but not limited to nipple reconstruction, skin grafts and stippling of the nipple and areola;
- (b) Surgery and reconstruction of the other breast to produce a symmetrical appearance;
- (c) Prostheses;
- (d) Treatment of physical complications of the mastectomy, including lymphedemas; and
- (e) Inpatient care related to the mastectomy and post-mastectomy services.

[(2)] (3) An insurer providing coverage under subsection [(1)] (2) of this section shall provide written notice describing the coverage to the enrollee at the time of enrollment in the health benefit plan and annually thereafter.

[(3)] (4) A health benefit plan must provide a single determination of prior authorization for all [*mastectomy-related*] services **related to a mastectomy** covered under subsection [(1)] (2) of this section that are part of the enrollee's course or plan of treatment.

[(4)] (5) When an enrollee requests an external review of an adverse decision by the insurer regarding services described in subsection [(1)] (2) of this section, the insurer must expedite the enrollee's case pursuant to ORS 743.857 (4).

[(5)] (6) The coverage required under subsection [(1)] (2) of this section is subject to the same terms and conditions in the plan that apply to other benefits under the plan.

[(6)] (7) This section is exempt from ORS 743A.001.

Passed by House April 27, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 17, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State