

# Senate Bill 858

Sponsored by COMMITTEE ON HEALTH CARE, HUMAN SERVICES AND RURAL HEALTH POLICY

## 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**.

Requires insurers to reimburse independent nurse practitioners at same rate as physicians for same services.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to equal pay for nurse practitioners in independent practice; creating new provisions;  
3 amending ORS 743A.036; and declaring an emergency.

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

5 **SECTION 1.** ORS 743A.036 is amended to read:

6 743A.036. (1) **As used in this section, "independent practice" means:**

7 (a) **A solo practice; or**

8 (b) **A collaborative practice in which a nurse practitioner functions autonomously.**

9 [(1)] (2) Whenever any policy of health insurance provides for reimbursement for any service  
10 which is within the lawful scope of practice of a duly licensed and certified nurse practitioner, in-  
11 cluding prescribing or dispensing drugs, the insured under the policy is entitled to reimbursement  
12 for such service whether it is performed by a physician licensed by the Oregon Medical Board or  
13 by a duly licensed nurse practitioner.

14 (3) **The reimbursement shall be in accordance with the benefits provided in the policy**  
15 **and, if the nurse practitioner has an independent practice, shall be paid at the same rate as**  
16 **a physician performing the service according to the customary and usual fee of physicians**  
17 **in the area served.**

18 [(2)] (4) This section does not apply to group practice health maintenance organizations that are  
19 federally qualified pursuant to Title XIII of the Health Maintenance Organization Act.

20 **SECTION 2.** The amendments to ORS 743A.036 by section 1 of this 2011 Act apply:

21 (1) **To services provided under contracts entered into or renewed on or after the effective**  
22 **date of this 2011 Act by in-network, as defined in ORS 743.871, nurse practitioners.**

23 (2) **To services provided on or after the effective date of this 2011 Act by out-of-network,**  
24 **as defined in ORS 743.871, nurse practitioners.**

25 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public  
26 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
27 on its passage.

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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.