

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2679**

1 On page 1 of the printed A-engrossed bill, line 3, after “735.485” delete the
2 rest of the line and insert “, 735.490, 750.055 and 750.333; and”.

3 On page 12, after line 45 insert:

4 **“SECTION 21. Section 22 of this 2011 Act is added to and made a
5 part of the Insurance Code.**

6 **“SECTION 22. An insurer offering a health benefit plan, as defined
7 in ORS 743.730, that provides coverage of prescription eye drops shall
8 provide coverage for one early refill of a prescription for eye drops to
9 treat glaucoma if all of the following criteria are met:**

10 **“(1) The refill is requested by an insured less than 30 days after the
11 later of:**

12 **“(a) The date the original prescription was dispensed to the insured;
13 or**

14 **“(b) The date that the last refill of the prescription was dispensed
15 to the insured.**

16 **“(2) The prescriber indicates on the original prescription that a
17 specific number of refills will be needed.**

18 **“(3) The refill does not exceed the number of refills that the
19 prescriber indicated under subsection (2) of this section.**

20 **“(4) The prescription has not been refilled more than once during
21 the 30-day period prior to the request for an early refill.**

22 **“SECTION 23. ORS 750.055 is amended to read:**

1 “750.055. (1) The following provisions of the Insurance Code apply to
2 health care service contractors to the extent not inconsistent with the ex-
3 press provisions of ORS 750.005 to 750.095:

4 “(a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362,
5 731.382, 731.385, 731.386, 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454,
6 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620,
7 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735, 731.737, 731.750,
8 731.752, 731.804, 731.844 to 731.992 and 731.870.

9 “(b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and
10 732.517 to 732.592, not including ORS 732.582.

11 “(c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to
12 733.680 and 733.695 to 733.780.

13 “(d) ORS chapter 734.

14 “(e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162,
15 742.400, 742.520 to 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100
16 to 743.109, 743.402, 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524,
17 743.526, 743.527, 743.528, 743.529, 743.549 to 743.552, 743.560, 743.600 to 743.610,
18 743.650 to 743.656, 743.804, 743.807, 743.808, 743.814 to 743.839, 743.842, 743.845,
19 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863,
20 743.864, 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020,
21 743A.036, 743A.048, 743A.058, 743A.062, 743A.064, 743A.066, 743A.068,
22 743A.070, 743A.080, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104,
23 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148, 743A.160,
24 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.188, 743A.190 and
25 743A.192 **and section 22 of this 2011 Act.**

26 “(f) The provisions of ORS chapter 744 relating to the regulation of in-
27 surance producers.

28 “(g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605,
29 746.607, 746.608, 746.610, 746.615, 746.625, 746.635, 746.650, 746.655, 746.660,
30 746.668, 746.670, 746.675, 746.680 and 746.690.

1 “(h) ORS 743A.024, except in the case of group practice health mainte-
2 nance organizations that are federally qualified pursuant to Title XIII of the
3 Public Health Service Act unless the patient is referred by a physician as-
4 sociated with a group practice health maintenance organization.

5 “(i) ORS 735.600 to 735.650.

6 “(j) ORS 743.680 to 743.689.

7 “(k) ORS 744.700 to 744.740.

8 “(L) ORS 743.730 to 743.773.

9 “(m) ORS 731.485, except in the case of a group practice health mainte-
10 nance organization that is federally qualified pursuant to Title XIII of the
11 Public Health Service Act and that wholly owns and operates an in-house
12 drug outlet.

13 “(2) For the purposes of this section, health care service contractors shall
14 be deemed insurers.

15 “(3) Any for-profit health care service contractor organized under the
16 laws of any other state that is not governed by the insurance laws of the
17 other state is subject to all requirements of ORS chapter 732.

18 “(4) The Director of the Department of Consumer and Business Services
19 may, after notice and hearing, adopt reasonable rules not inconsistent with
20 this section and ORS 750.003, 750.005, 750.025 and 750.045 that are deemed
21 necessary for the proper administration of these provisions.

22 “**SECTION 24.** ORS 750.333 is amended to read:

23 “750.333. (1) The following provisions of the Insurance Code apply to
24 trusts carrying out a multiple employer welfare arrangement:

25 “(a) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316,
26 731.324, 731.328, 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414,
27 731.418 to 731.434, 731.454, 731.484, 731.486, 731.488, 731.512, 731.574 to 731.620,
28 731.640 to 731.652 and 731.804 to 731.992.

29 “(b) ORS 733.010 to 733.050, 733.140 to 733.170, 733.210, 733.510 to 733.680
30 and 733.695 to 733.780.

1 “(c) ORS chapter 734.

2 “(d) ORS 742.001 to 742.009, 742.013, 742.061 and 742.400.

3 “(e) ORS 743.028, 743.053, 743.524, 743.526, 743.527, 743.528, 743.529, 743.530,
4 743.560, 743.562, 743.600, 743.601, 743.602, 743.610, 743.730 to 743.773 (except
5 743.760 to 743.773), 743.801, 743.804, 743.807, 743.808, 743.814 to 743.839,
6 743.842, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861,
7 743.862, 743.863, 743.864, 743.912, 743.917, 743A.012, 743A.020, 743A.052,
8 743A.064, 743A.080, 743A.100, 743A.104, 743A.110, 743A.144, 743A.170,
9 743A.175, 743A.184 and 743A.192 **and section 22 of this 2011 Act.**

10 “(f) ORS 743A.010, 743A.014, 743A.024, 743A.028, 743A.032, 743A.036,
11 743A.040, 743A.048, 743A.058, 743A.066, 743A.068, 743A.070, 743A.084,
12 743A.088, 743A.090, 743A.105, 743A.140, 743A.141, 743A.148, 743A.168,
13 743A.180, 743A.188 and 743A.190. Multiple employer welfare arrangements
14 to which ORS 743.730 to 743.773 apply are subject to the sections referred to
15 in this paragraph only as provided in ORS 743.730 to 743.773.

16 “(g) Provisions of ORS chapter 744 relating to the regulation of insurance
17 producers and insurance consultants, and ORS 744.700 to 744.740.

18 “(h) ORS 746.005 to 746.140, 746.160 and 746.220 to 746.370.

19 “(i) ORS 731.592 and 731.594.

20 “(j) ORS 731.870.

21 “(2) For the purposes of this section:

22 “(a) A trust carrying out a multiple employer welfare arrangement shall
23 be considered an insurer.

24 “(b) References to certificates of authority shall be considered references
25 to certificates of multiple employer welfare arrangement.

26 “(c) Contributions shall be considered premiums.

27 “(3) The provision of health benefits under ORS 750.301 to 750.341 shall
28 be considered to be the transaction of health insurance.

29 **“SECTION 25. Section 22 of this 2011 Act and the amendments to**
30 **ORS 750.055 and 750.333 by sections 23 and 24 of this 2011 Act apply to**

1 **contracts entered into or renewed, and policies or certificates issued**
2 **or renewed, on or after the effective date of this 2011 Act.”.**

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