

## Oregon

Senate Health Care and Human Services Committee

Date: Monday, May 13, 2013

### **HB 2385 - Relating to insurance coverage of treatment (diversion program) for chemical dependency in DUII convictions**

Representing 7,500 small business members across the state of Oregon **NFIB is opposed to HB 2385** as we believe the mandated diversion coverage for those convicted in DUII citations will increase health insurance costs for small businesses.

The number one identified cost concern for small businesses is the cost of health insurance coverage for themselves, their family and their employees. While income has dropped for many small business owners, health insurance costs continue to escalate. In 2014, when many of the health care reform provisions commence, it is projected small businesses will see the cost of health insurance increase 38% or more.

Health insurance mandates are especially burdensome for the small business owner. Due to federal law, large businesses, many who are self-insured, will not be forced to comply with this mandate putting most of the burden on the individual and small business markets – two segments of our economy which continue to struggle in the current economic landscape. Small businesses already pay 18% more in health insurance premiums than big business.

While individual mandates may not seem to amount to much, the accumulative effect of multiple mandates is causing health insurance to financially impact more and more of our small business owners, leaving them unsavory choices:

- Do not provide health care coverage for themselves, their family or their employees
- Drop existing coverage which has become too costly
- Choose between adding a needed employee or paying increased insurance rates

Please see below the number of annual DUII citations written along with the number of convictions and those who participated in diversion programs. The most recent figures available are for 2008.

Noted is the fact that in 2008, 10,692 (43%) of those cited for DUII were referred to a diversion program. We feel strongly that those convicted for DUII citations should bear the financial burden of their diversion program and that it should not be borne by the insurance ratepayers. In hardship cases there are state programs available to provide the diversion program.

<b>Year:</b>	<b>DUII Citations</b>	<b>Convictions</b>	<b>Diversion</b>
<b>2005</b>	<b>23,257</b>	<b>9,411</b>	<b>11,101</b>
<b>2006</b>	<b>25,091</b>	<b>10,238</b>	<b>11,772</b>
<b>2007</b>	<b>25,618</b>	<b>10,453</b>	<b>12,173</b>
<b>2008</b>	<b>24,811</b>	<b>10,682</b>	<b>10,692</b>

Source: Oregon DUII Data Book

[http://www.oregon.gov/ODOT/TS/docs/duii/2008\\_duii\\_statistics.pdf](http://www.oregon.gov/ODOT/TS/docs/duii/2008_duii_statistics.pdf)