

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Baertschiger, George, Monnes Anderson, Prozanski, Shields
Nays:	0
Exc.:	0
Prepared By:	Channa Newell, Administrator
Meeting Dates:	4/3, 4/17

WHAT THE MEASURE DOES: Requires health care practitioners refer patients to facilities based solely on consideration of patients' needs and personal health choices; prohibits limitation of referrals to facilities in which health practitioners have financial interest. Requires providers notify patients of financial interest and patients' choices in referral facilities. Defines financial interest, facility, and health care practitioner. Prohibits Oregon Health Authority from imposing any other restrictions on self-referral. Allows Oregon Health Licensing Agency, or appropriate health regulatory board, to impose civil penalty of not more than \$1,000 against health care practitioner for violation. Provides disciplinary and investigative powers to Oregon Health Licensing Agency or appropriate board in event of violations or failure to comply.

ISSUES DISCUSSED:

- Need for patient choice in medical treatment
- Possibility of monopoly in certain situations
- Market effects and health insurance exchange effects on referrals for medical treatment
- Effects of amendment
- Further amendments needed to achieve full consensus of stakeholders

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: Currently, health care practitioners with a financial interest in another facility must disclose that interest to patients orally and in writing prior to referring a patient to that facility for treatment. A financial interest is defined as five percent or greater ownership interest in the entity to which the patient is being referred.

Senate Bill 683-A requires practitioners to only consider a patient's needs and personal choices when referring a patient to a facility for treatment. The measure prohibits a practitioner from limiting referrals to only the facilities the practitioner has a financial interest in and, if a practitioner refers a patient to such a facility, the practitioner must disclose the interest to the patient. The measure authorizes the Oregon Health Licensing Agency or appropriate board to investigate and discipline violations of the measure.