

House Bill 2132

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

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 Oregon Health Authority to take specified steps to enroll in qualified health plan person who loses eligibility for medical assistance.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to enrollment in qualified health plans; creating new provisions; amending ORS 411.085; and
3 declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 414.**

6 **SECTION 2. (1) If the Oregon Health Authority or the Department of Human Services**
7 **receives information that indicates that a person receiving medical assistance is no longer**
8 **eligible for medical assistance, the authority shall determine the person's eligibility to pur-**
9 **chase a qualified health plan through the Oregon Health Insurance Exchange. The authority**
10 **may also determine the person's eligibility for premium tax credits and reduced cost sharing.**

11 **(2) If the authority determines that the person is eligible to purchase a qualified health**
12 **plan through the exchange, the authority shall notify the person and provide information to**
13 **the person about how to select a qualified health plan. The authority may contract with**
14 **personal health navigators certified by the Oregon Health Insurance Exchange Corporation**
15 **to facilitate the person's enrollment in a qualified health plan.**

16 **(3) If, by the 10th day following the date on which the notice described in subsection (2)**
17 **of this section was sent, the person does not select a qualified health plan for enrollment,**
18 **the authority shall enroll the person in a qualified health plan that:**

19 **(a) Provides the greatest continuity of care to the person; and**

20 **(b) Most closely resembles the benefits and provider network of the person's medical**
21 **assistance program coverage.**

22 **(4) After a person losing medical assistance is enrolled in a qualified health plan, the**
23 **authority shall immediately transmit electronically to the corporation all of the necessary**
24 **information.**

25 **(5) If the authority enrolls a person in a qualified health plan under subsection (3) of this**
26 **section, the authority shall notify the person of the person's right to transfer to a different**
27 **qualified health plan within 30 days of enrollment or at the next open enrollment period.**

28 **SECTION 3. The Oregon Health Authority shall enter into an agreement with the Oregon**
29 **Health Insurance Exchange Corporation to allow the authority to determine eligibility for**
30 **qualified health plans available through the Oregon Health Insurance Exchange and may**

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.

1 **enter into an agreement with the corporation to determine eligibility for premium tax credits**
2 **and reduced cost-sharing.**

3 **SECTION 4.** ORS 411.085 is amended to read:

4 411.085. (1) The Department of Human Services **and the Oregon Health Authority** may re-
5 consider [*a grant of general assistance or a grant of*] **a recipient's eligibility for** public assistance
6 only for the following purposes:

7 (a) To correct an inadvertent clerical or mathematical error made when determining [*a grant*
8 *of general assistance or a grant of*] **eligibility for** public assistance;

9 (b) To correct misinformation provided to an applicant or recipient by the department **or the**
10 **authority;**

11 (c) To consider facts not previously known to the department **or the authority;**

12 (d) To correct errors caused by a misapplication of the law by the department **or the**
13 **authority;**

14 (e) To consider substantive changes in the applicable law; or

15 (f) To consider a change in circumstances that directly affects the eligibility of a recipient of
16 [*general assistance or*] public assistance.

17 (2) A recipient of [*general assistance or*] public assistance may request reconsideration of [*a*
18 *grant of general assistance or a grant of*] **the recipient's eligibility for** public assistance for the
19 purposes described in subsection (1) of this section.

20 (3) If the department, [*reduces, suspends or terminates a grant of general assistance or a grant*
21 *of public assistance*] after reconsideration under subsection (1) of this section, **proposes to reduce,**
22 **suspend or terminate public assistance, other than medical assistance,** the department shall
23 provide an opportunity for a hearing under ORS chapter 183. **If the department or the authority**
24 **determines that a recipient is no longer eligible for medical assistance, the department or**
25 **the authority shall comply with section 2 of this 2013 Act.**

26 (4) Notwithstanding subsection (1) of this section, the department **and the authority** may con-
27 duct periodic redeterminations of eligibility of recipients of [*grants of general assistance or grants*
28 *of*] public assistance and participate in audits and other review activities as required by state or
29 federal law.

30 **SECTION 5.** Section 2 of this 2013 Act and the amendments to ORS 411.085 by section 4
31 **of this 2013 Act become operative January 1, 2014.**

32 **SECTION 6.** This 2013 Act being necessary for the immediate preservation of the public
33 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
34 **on its passage.**

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