

**PROPOSED AMENDMENTS TO
SENATE BILL 604**

1 On page 1 of the printed bill, delete lines 4 through 31 and delete page
2 2 and insert:

3 **“SECTION 1. Sections 2 to 7 of this 2013 Act are added to and made**
4 **a part of ORS chapter 442.**

5 **“SECTION 2. As used in sections 2 to 7 of this 2013 Act:**

6 **“(1) ‘Credentialing information’ means information necessary to**
7 **credential or recredential a health care practitioner.**

8 **“(2) ‘Credentialing organization’ means a hospital or other health**
9 **care facility, physician organization or other health care provider or-**
10 **ganization, coordinated care organization, business organization,**
11 **insurer or other organization that credentials health care practition-**
12 **ers.**

13 **“(3) ‘Health care practitioner’ means an individual authorized to**
14 **practice a profession related to the provision of health care services**
15 **in this state for which the individual must be credentialed.**

16 **“(4) ‘Health care regulatory board’ means a board or other agency**
17 **that authorizes individuals to practice a profession related to the pro-**
18 **vision of health care services for which the individual must be cre-**
19 **dentialed.**

20 **“SECTION 3. (1)(a) The Oregon Health Authority, in consultation**
21 **with the advisory work group convened under section 7 of this 2013**
22 **Act, shall establish a program for the purpose of providing to a cre-**

1 **credentialing organization access to information that is necessary to**
2 **credential or recredential a health care practitioner.**

3 **“(b) To fulfill the requirements of this subsection, the authority**
4 **shall establish and operate an electronic system through which cre-**
5 **credentialing information may be submitted to an electronic database and**
6 **accessed. The system must operate and be accessible by credentialing**
7 **organizations, health care practitioners and health care regulatory**
8 **boards 24 hours a day, seven days a week. The authority may contract**
9 **with a private entity to ensure the effective establishment and opera-**
10 **tion of the system.**

11 **“(c) To the greatest extent practicable, the electronic system shall**
12 **use the most accessible and current technology available.**

13 **“(2) In consultation with the advisory work group convened under**
14 **section 7 of this 2013 Act, the authority shall adopt rules for the op-**
15 **eration of the electronic system, including:**

16 **“(a) Identification of the type of information that is necessary to**
17 **credential or recredential each type of health care practitioner;**

18 **“(b) Processes by which a health care practitioner or health care**
19 **regulatory board submits credentialing information to the authority**
20 **or an entity that has entered into a contract with the authority under**
21 **subsection (1)(b) of this section;**

22 **“(c) Processes, as required by recognized state and national cre-**
23 **credentialing standards, by which credentialing information submitted**
24 **under section 4 of this 2013 Act is verified;**

25 **“(d) Processes by which a credentialing organization, health care**
26 **practitioner or health care regulatory board may electronically access**
27 **the database;**

28 **“(e) Processes by which a health care practitioner may attest that**
29 **the credentialing information in the electronic database is current;**

30 **“(f) The purposes for which credentialing information accessed by**

1 a credentialing organization or health care regulatory board may be
2 used; and

3 “(g) The imposition of fees, not to exceed the cost of administering
4 sections 2 to 7 of this 2013 Act, on health care practitioners who sub-
5 mit credentialing information to the database and credentialing or-
6 ganizations that access the database.

7 “(3) All information, except for general information used for direc-
8 tories, as defined by the authority by rule, that is received, kept and
9 maintained in the database under this section is exempt from public
10 disclosure under ORS 192.410 to 192.505.

11 “SECTION 4. (1)(a) As a condition of being authorized to practice
12 a profession in this state, a health care practitioner or designee must
13 submit to the Oregon Health Authority, an entity that has entered
14 into a contract with the authority under section 3 (1)(b) of this 2013
15 Act or a health care regulatory board the credentialing information
16 identified by the authority under section 3 (2)(a) of this 2013 Act.

17 “(b) A health care practitioner that, in good faith, submits creden-
18 tialing information under this subsection is immune from civil liability
19 that might otherwise be incurred or imposed with respect to the sub-
20 mission of that credentialing information.

21 “(2) The authority may require a health care regulatory board, after
22 consulting with the health care regulatory board, to provide or sup-
23 plement the credentialing information identified by the authority un-
24 der section 3 (2)(a) of this 2013 Act.

25 “(3)(a) A credentialing organization shall obtain from the authority,
26 or an entity that has entered into a contract with the authority under
27 section 3 (1)(b) of this 2013 Act, the credentialing information of the
28 health care practitioner that is kept and maintained in the electronic
29 database described in section 3 of this 2013 Act. A credentialing or-
30 ganization may not request credentialing information from a health

1 care practitioner if the credentialing information is available through
2 the database.

3 “(b) A credentialing organization that, in good faith, uses creden-
4 tialing information provided under this subsection for the purposes
5 established by the authority under section 3 (2)(e) of this 2013 Act is
6 immune from civil liability that might otherwise be incurred or im-
7 posed with respect to the use of that credentialing information.

8 “SECTION 5. A prepaid group practice health plan that serves at
9 least 200,000 members in this state and that has been issued a certif-
10 icate of authority by the Department of Consumer and Business Ser-
11 vices may petition the Director of the Oregon Health Authority to be
12 exempt from the requirements of sections 2 to 7 of this 2013 Act. The
13 director may award the petition if the director determines that sub-
14 jecting the health plan to sections 2 to 7 of this 2013 Act is not cost-
15 effective. If a petition is awarded under this section, the exemption
16 also applies to any health care facilities and health care provider
17 groups associated with the health plan.

18 “SECTION 6. The Director of the Oregon Health Authority shall
19 adopt rules necessary for the administration of sections 2 to 7 of this
20 2013 Act.

21 “SECTION 7. At least once per year, the Oregon Health Authority
22 shall convene an advisory group consisting of individuals who repre-
23 sent credentialing organizations, health care practitioners and health
24 care regulatory boards to review and advise the authority on the im-
25 plementation of sections 2 to 7 of this 2013 Act and on the standard
26 credentialing application used in this state.

27 “SECTION 8. (1) To establish the electronic system described in
28 section 3 of this 2013 Act, the Oregon Health Authority shall issue a
29 request for information to seek input from potential contractors on
30 capabilities and cost structures associated with the scope of work re-

1 **quired to establish and maintain the electronic system. The authority**
2 **shall use the results of the request for information to create a formal**
3 **request for proposals. No later than 150 business days after the close**
4 **of the request for information, the authority shall issue a formal re-**
5 **quest for proposals to establish and maintain the electronic system.**

6 **“(2) The authority may enter into a contract under section 3 (1)(b)**
7 **of this 2013 Act with a private entity only if the private entity:**

8 **“(a) Can demonstrate appropriate technical, analytical and clinical**
9 **knowledge and experience to carry out the duties prescribed by section**
10 **3 of this 2013 Act; or**

11 **“(b) Has a contract, or will enter into a contract, with another en-**
12 **tity that meets the criteria described in this subsection.**

13 **“SECTION 9. The Oregon Health Authority shall report on the im-**
14 **plementation of the electronic system described in section 3 (1) of this**
15 **2013 Act and on the development of rules to be adopted under section**
16 **3 (2) of this 2013 Act to:**

17 **“(1) The interim committees of the Legislative Assembly related to**
18 **health no later than October 1, 2014; and**

19 **“(2) The Legislative Assembly in the manner required by ORS**
20 **192.245:**

21 **“(a) On or before February 1, 2014; and**

22 **“(b) On or before February 1, 2015.**

23 **“SECTION 10. Sections 8 and 9 of this 2013 Act are repealed on the**
24 **date of the convening of the 2016 regular session of the Legislative**
25 **Assembly as specified in ORS 171.010.**

26 **“SECTION 11. (1) Sections 2 to 5 of this 2013 Act become operative**
27 **on January 1, 2016.**

28 **“(2) The Oregon Health Authority may take any action necessary**
29 **before the operative date specified in subsection (1) of this section to**
30 **enable the authority to exercise, on and after the operative date**

1 **specified in subsection (1) of this section, all the duties, functions and**
2 **powers conferred on the authority by sections 2 to 5 of this 2013**
3 **Act.”.**

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