

**PRELIMINARY** STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Health Care

**REVENUE: No revenue impact (introduced)**

**FISCAL: Minimal fiscal impact (introduced)**

**Action:**

**Vote:**

**Yeas:**

**Nays:**

**Exc.:**

**Prepared By:** Zena Rockowitz, Administrator

**Meeting Dates:** 2/9, 4/6

**WHAT THE MEASURE DOES:** Defines small employer as the term used in federal law.

**ISSUES DISCUSSED:**

- Oregon alignment with federal Affordable Care Act
- Challenge for consumers and carriers in 2013 when changes were made at the federal level
- Preparation for the next phase of federal Affordable Care Act
- Preparation for federal administrative rules

**EFFECT OF COMMITTEE AMENDMENT:-2 Amendment:** Defines small employer as an average of at least one but not more than 50 employees.

**BACKGROUND:** Currently, Oregon law (ORS 743.730) aligns with the federal definition of small employer (42 U.S.C. 18024). The term small employer in a group health plan is defined as an employer who employs an average of at least 1 but not more than 100 employees on business days during the preceding calendar year and who employs at least 1 employee on the first day of the plan year. If the federal law changes, Oregon would be out of alignment with small employer market regulation. This would pose operational challenges.