

B-Engrossed
House Bill 2234

Ordered by the Senate April 30
Including House Amendments dated March 10 and Senate Amendments
dated April 30

Sponsored by Representative WHISNANT, Senator GELSER, Representatives BARTON, HACK, Senator KNOPP;
Representatives BUEHLER, DOHERTY, FREDERICK, HAYDEN, HUFFMAN, KENY-GUYER, KOMP, OLSON,
REARDON, STARK, WITT, Senators DEVLIN, OLSEN (Presession filed.)

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.

Requires Oregon Health Authority and insurers offering health benefit plans that reimburse costs of physician services to reimburse community assessment center for child abuse medical assessment and related services.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to child abuse medical assessments; creating new provisions; amending ORS 750.055 and
3 750.333; and declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 414.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "Child abuse medical assessment" has the meaning given that term in ORS 418.782.

8 (b) "Community assessment center" has the meaning given that term in ORS 418.782.

9 (2) **The Oregon Health Authority shall reimburse a community assessment center for the**
10 **services the center provides:**

11 (a) **In conducting a child abuse medical assessment of a child who is eligible for medical**
12 **assistance; and**

13 (b) **That are related to the child abuse medical assessment including, but not limited to:**

14 (A) **A forensic interview; and**

15 (B) **Mental health treatment.**

16 (3) **The authority shall adopt billing and payment mechanisms to ensure that the re-**
17 **imbursement is proportionate to the scope and intensity of the services provided by the**
18 **community assessment center.**

19 **SECTION 3. Section 4 of this 2015 Act is added to and made a part of the Insurance Code.**

20 **SECTION 4. (1) As used in this section:**

21 (a) "Child abuse medical assessment" has the meaning given that term in ORS 418.782.

22 (b) "Community assessment center" has the meaning given that term in ORS 418.782.

23 (c) "Health benefit plan" has the meaning given that term in ORS 743.730.

24 (2) **A health benefit plan shall provide payment to or reimburse a community assessment**
25 **center for the services provided by the center:**

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 (a) In conducting a child abuse medical assessment of a child enrolled in the plan; and
- 2 (b) That are related to the child abuse medical assessment including, but not limited to:
- 3 (A) A forensic interview; and
- 4 (B) Mental health treatment.

5 (3) The payment or reimbursement made in accordance with this section must be
6 proportionate to the scope and intensity of the services provided by the community assess-
7 ment center.

8 (4) This section is exempt from ORS 743A.001.

9 **SECTION 5.** ORS 750.055, as amended by section 5, chapter 25, Oregon Laws 2014, and section
10 80, chapter 45, Oregon Laws 2014, is amended to read:

11 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
12 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

13 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
14 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
15 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
16 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 4 of this 2015**
17 **Act.**

18 (b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not
19 including ORS 732.582.

20 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
21 to 733.780.

22 (d) ORS chapter 734.

23 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
24 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,
25 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550 to
26 743.552, 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to
27 743.839, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864,
28 743.894, 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036,
29 743A.048, 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082,
30 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144,
31 743A.148, 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188,
32 743A.190, 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2,
33 chapter 25, Oregon Laws 2014.

34 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

35 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
36 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

37 (h) ORS 743A.024, except in the case of group practice health maintenance organizations that
38 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
39 referred by a physician, physician assistant or nurse practitioner associated with a group practice
40 health maintenance organization.

41 (i) ORS 735.600 to 735.650.

42 (j) ORS 743.680 to 743.689.

43 (k) ORS 744.700 to 744.740.

44 (L) ORS 743.730 to 743.773.

45 (m) ORS 731.485, except in the case of a group practice health maintenance organization that

1 is federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns
2 and operates an in-house drug outlet.

3 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

4 (3) Any for-profit health care service contractor organized under the laws of any other state that
5 is not governed by the insurance laws of the other state is subject to all requirements of ORS
6 chapter 732.

7 (4) The Director of the Department of Consumer and Business Services may, after notice and
8 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
9 and 750.045 that are deemed necessary for the proper administration of these provisions.

10 **SECTION 6.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section
11 6, chapter 25, Oregon Laws 2014, and section 81, chapter 45, Oregon Laws 2014, is amended to read:

12 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
13 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

14 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
15 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
16 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
17 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 4 of this 2015**
18 **Act.**

19 (b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not
20 including ORS 732.582.

21 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
22 to 733.780.

23 (d) ORS chapter 734.

24 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
25 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,
26 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550, 743.552,
27 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,
28 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864, 743.894,
29 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,
30 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082, 743A.084,
31 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,
32 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,
33 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2, chapter 25,
34 Oregon Laws 2014.

35 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

36 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
37 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

38 (h) ORS 743A.024, except in the case of group practice health maintenance organizations that
39 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
40 referred by a physician, physician assistant or nurse practitioner associated with a group practice
41 health maintenance organization.

42 (i) ORS 743.680 to 743.689.

43 (j) ORS 744.700 to 744.740.

44 (k) ORS 743.730 to 743.773.

45 (L) ORS 731.485, except in the case of a group practice health maintenance organization that is

1 federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns and
2 operates an in-house drug outlet.

3 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

4 (3) Any for-profit health care service contractor organized under the laws of any other state that
5 is not governed by the insurance laws of the other state is subject to all requirements of ORS
6 chapter 732.

7 (4) The Director of the Department of Consumer and Business Services may, after notice and
8 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
9 and 750.045 that are deemed necessary for the proper administration of these provisions.

10 **SECTION 7.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section
11 21, chapter 771, Oregon Laws 2013, section 7, chapter 25, Oregon Laws 2014, and section 82, chapter
12 45, Oregon Laws 2014, is amended to read:

13 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
14 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

15 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
16 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
17 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
18 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 4 of this 2015**
19 **Act.**

20 (b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not
21 including ORS 732.582.

22 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
23 to 733.780.

24 (d) ORS chapter 734.

25 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
26 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,
27 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550, 743.552,
28 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,
29 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864, 743.894,
30 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,
31 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082, 743A.084,
32 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,
33 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,
34 743A.192 and 743A.250 and section 2, chapter 25, Oregon Laws 2014.

35 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

36 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
37 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

38 (h) ORS 743A.024, except in the case of group practice health maintenance organizations that
39 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
40 referred by a physician, physician assistant or nurse practitioner associated with a group practice
41 health maintenance organization.

42 (i) ORS 743.680 to 743.689.

43 (j) ORS 744.700 to 744.740.

44 (k) ORS 743.730 to 743.773.

45 (L) ORS 731.485, except in the case of a group practice health maintenance organization that is

1 federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns and
2 operates an in-house drug outlet.

3 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

4 (3) Any for-profit health care service contractor organized under the laws of any other state that
5 is not governed by the insurance laws of the other state is subject to all requirements of ORS
6 chapter 732.

7 (4) The Director of the Department of Consumer and Business Services may, after notice and
8 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
9 and 750.045 that are deemed necessary for the proper administration of these provisions.

10 **SECTION 8.** ORS 750.333, as amended by section 8, chapter 25, Oregon Laws 2014, is amended
11 to read:

12 750.333. (1) The following provisions of the Insurance Code apply to trusts carrying out a mul-
13 tiple employer welfare arrangement:

14 (a) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316, 731.324, 731.328,
15 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414, 731.418 to 731.434, 731.454, 731.484,
16 731.486, 731.488, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.804 to 731.992 and 743.061 **and**
17 **section 4 of this 2015 Act.**

18 (b) ORS 733.010 to 733.050, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695 to 733.780.

19 (c) ORS chapter 734.

20 (d) ORS 742.001 to 742.009, 742.013, 742.061 and 742.400.

21 (e) ORS 743.028, 743.053, 743.499, 743.524, 743.526, 743.527, 743.528, 743.529, 743.530, 743.560,
22 743.562, 743.600, 743.601, 743.602, 743.610, 743.730 to 743.773 (except 743.766 to 743.773), 743.801,
23 743.804, 743.807, 743.808, 743.814 to 743.839, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858,
24 743.859, 743.861, 743.862, 743.863, 743.864, 743.894, 743.912, 743.917, 743A.012, 743A.020, 743A.034,
25 743A.052, 743A.064, 743A.065, 743A.080, 743A.082, 743A.100, 743A.104, 743A.110, 743A.144, 743A.150,
26 743A.170, 743A.175, 743A.184, 743A.192 and 743A.250 and section 2, chapter 25, Oregon Laws 2014.

27 (f) ORS 743A.010, 743A.014, 743A.024, 743A.028, 743A.032, 743A.036, 743A.040, 743A.048,
28 743A.058, 743A.066, 743A.068, 743A.070, 743A.084, 743A.088, 743A.090, 743A.105, 743A.140, 743A.141,
29 743A.148, 743A.168, 743A.180, 743A.185, 743A.188 and 743A.190. Multiple employer welfare arrange-
30 ments to which ORS 743.730 to 743.773 apply are subject to the sections referred to in this para-
31 graph only as provided in ORS 743.730 to 743.773.

32 (g) Provisions of ORS chapter 744 relating to the regulation of insurance producers and insur-
33 ance consultants, and ORS 744.700 to 744.740.

34 (h) ORS 746.005 to 746.140, 746.160 and 746.220 to 746.370.

35 (i) ORS 731.592 and 731.594.

36 (j) ORS 731.870.

37 (2) For the purposes of this section:

38 (a) A trust carrying out a multiple employer welfare arrangement shall be considered an insurer.

39 (b) References to certificates of authority shall be considered references to certificates of mul-
40 tiple employer welfare arrangement.

41 (c) Contributions shall be considered premiums.

42 (3) The provision of health benefits under ORS 750.301 to 750.341 shall be considered to be the
43 transaction of health insurance.

44 **SECTION 9. Section 4 of this 2015 Act applies to health benefit plans issued or renewed**
45 **on or after the effective date of this 2015 Act.**

1 **SECTION 10. This 2015 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
3 **on its passage.**

4
