

# House Bill 2234

Sponsored by Representative WHISNANT, Senator GELSER, Representative BARTON; Representatives DOHERTY, FREDERICK, HUFFMAN, KENY-GUYER, KOMP, OLSON, REARDON, Senator DEVLIN (Pre-session 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 **as introduced**.

Requires Oregon Health Authority and insurers offering policies or certificates of health insurance that reimburse costs of physician services to create billing codes or alternative mechanism to enable community assessment center to bill for child abuse medical assessment and related services.

## A BILL FOR AN ACT

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

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

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

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

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

8 (2) **The Oregon Health Authority shall create billing codes for child abuse medical as-**  
9 **essments, and for services directly related to the medical assessments, that are performed**  
10 **by community assessment centers to enable the centers to bill the medical assistance pro-**  
11 **gram for assessments of children who are recipients of medical assistance and for perform-**  
12 **ing services directly related to the assessment.**

13 **SECTION 2. Section 3 of this 2015 Act is added to and made a part of the Insurance Code.**

14 **SECTION 3. (1) As used in this section:**

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

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

17 (2) **An insurer offering a policy or certificate of health insurance that reimburses the**  
18 **costs of physician services shall create billing codes or an alternative mechanism for a**  
19 **community assessment center to bill the insurer for the costs of performing a child abuse**  
20 **medical assessment of a child who is covered by the policy or certificate and for performing**  
21 **services directly related to the medical assessment.**

22 **SECTION 4. ORS 750.055, as amended by section 5, chapter 25, Oregon Laws 2014, and section**  
23 **80, chapter 45, Oregon Laws 2014, is amended to read:**

24 750.055. (1) The following provisions of the Insurance Code apply to health care service con-  
25 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

26 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,  
27 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,  
28 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,  
29 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 3 of this 2015**

30 **Act.**

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

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

5 (d) ORS chapter 734.

6 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to  
7 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,  
8 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550 to  
9 743.552, 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to  
10 743.839, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864,  
11 743.894, 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036,  
12 743A.048, 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082,  
13 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144,  
14 743A.148, 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188,  
15 743A.190, 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2,  
16 chapter 25, Oregon Laws 2014.

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

18 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,  
19 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

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

24 (i) ORS 735.600 to 735.650.

25 (j) ORS 743.680 to 743.689.

26 (k) ORS 744.700 to 744.740.

27 (L) ORS 743.730 to 743.773.

28 (m) ORS 731.485, except in the case of a group practice health maintenance organization that  
29 is federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns  
30 and operates an in-house drug outlet.

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

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

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

38 **SECTION 5.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section  
39 6, chapter 25, Oregon Laws 2014, and section 81, chapter 45, Oregon Laws 2014, is amended to read:

40 750.055. (1) The following provisions of the Insurance Code apply to health care service con-  
41 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

42 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,  
43 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,  
44 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,  
45 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 3 of this 2015**

1 **Act.**

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

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

6 (d) ORS chapter 734.

7 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to  
8 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,  
9 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550, 743.552,  
10 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,  
11 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864, 743.894,  
12 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,  
13 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082, 743A.084,  
14 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,  
15 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,  
16 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2, chapter 25,  
17 Oregon Laws 2014.

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

19 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,  
20 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

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

25 (i) ORS 743.680 to 743.689.

26 (j) ORS 744.700 to 744.740.

27 (k) ORS 743.730 to 743.773.

28 (L) ORS 731.485, except in the case of a group practice health maintenance organization that is  
29 federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns and  
30 operates an in-house drug outlet.

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

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

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

38 **SECTION 6.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section  
39 21, chapter 771, Oregon Laws 2013, section 7, chapter 25, Oregon Laws 2014, and section 82, chapter  
40 45, Oregon Laws 2014, is amended to read:

41 750.055. (1) The following provisions of the Insurance Code apply to health care service con-  
42 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

43 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,  
44 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,  
45 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,

1 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061 **and section 3 of this 2015**  
 2 **Act.**

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

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

7 (d) ORS chapter 734.

8 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to  
 9 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,  
 10 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550, 743.552,  
 11 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,  
 12 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864, 743.894,  
 13 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,  
 14 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082, 743A.084,  
 15 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,  
 16 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,  
 17 743A.192 and 743A.250 and section 2, chapter 25, Oregon Laws 2014.

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

19 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,  
 20 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

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

25 (i) ORS 743.680 to 743.689.

26 (j) ORS 744.700 to 744.740.

27 (k) ORS 743.730 to 743.773.

28 (L) ORS 731.485, except in the case of a group practice health maintenance organization that is  
 29 federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns and  
 30 operates an in-house drug outlet.

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

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

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

38 **SECTION 7.** ORS 750.333, as amended by section 8, chapter 25, Oregon Laws 2014, is amended  
 39 to read:

40 750.333. (1) The following provisions of the Insurance Code apply to trusts carrying out a mul-  
 41 tiple employer welfare arrangement:

42 (a) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316, 731.324, 731.328,  
 43 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414, 731.418 to 731.434, 731.454, 731.484,  
 44 731.486, 731.488, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.804 to 731.992 and 743.061 **and**  
 45 **section 3 of this 2015 Act.**

1 (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.

2 (c) ORS chapter 734.

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

4 (e) ORS 743.028, 743.053, 743.499, 743.524, 743.526, 743.527, 743.528, 743.529, 743.530, 743.560,  
5 743.562, 743.600, 743.601, 743.602, 743.610, 743.730 to 743.773 (except 743.766 to 743.773), 743.801,  
6 743.804, 743.807, 743.808, 743.814 to 743.839, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858,  
7 743.859, 743.861, 743.862, 743.863, 743.864, 743.894, 743.912, 743.917, 743A.012, 743A.020, 743A.034,  
8 743A.052, 743A.064, 743A.065, 743A.080, 743A.082, 743A.100, 743A.104, 743A.110, 743A.144, 743A.150,  
9 743A.170, 743A.175, 743A.184, 743A.192 and 743A.250 and section 2, chapter 25, Oregon Laws 2014.

10 (f) ORS 743A.010, 743A.014, 743A.024, 743A.028, 743A.032, 743A.036, 743A.040, 743A.048,  
11 743A.058, 743A.066, 743A.068, 743A.070, 743A.084, 743A.088, 743A.090, 743A.105, 743A.140, 743A.141,  
12 743A.148, 743A.168, 743A.180, 743A.185, 743A.188 and 743A.190. Multiple employer welfare arrange-  
13 ments to which ORS 743.730 to 743.773 apply are subject to the sections referred to in this para-  
14 graph only as provided in ORS 743.730 to 743.773.

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

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

18 (i) ORS 731.592 and 731.594.

19 (j) ORS 731.870.

20 (2) For the purposes of this section:

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

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

24 (c) Contributions shall be considered premiums.

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

27