

HB 2629 -2, -3 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/13

WHAT THE MEASURE DOES:

Creates rebuttable presumption that charges for health care services are reasonable when district attorney presents documentation of charges to court in restitution hearing.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Requires district attorney to provide documentation of relevant services provided, and corresponding billing records, before rebuttable presumption applies.

-3 Clarifies that rebuttable presumption applies solely for purposes of imposing restitution.

BACKGROUND:

When a defendant is convicted of an offense that results in economic damages, the district attorney is required to present evidence of the damages to the court. Based on this evidence or, if the evidence is contested, additional evidence presented at a hearing, the court is required to enter a judgment directing the defendant to pay the victim restitution in an amount equal to these damages. House Bill 2629 addresses an issue raised in a recent Court of Appeals decision in which "the state did not present evidence that [a] hospital bill reflected 'reasonable charges.'" *State v. McClelland*, 278 Or. App. 138, 139 (2016). House Bill 2629 creates a rebuttable presumption that charges for medical, hospital, nursing, rehabilitative and other health care services are reasonable when the district attorney presents documentation for the charges.