

## HOUSE AMENDMENTS TO HOUSE BILL 2339

By COMMITTEE ON HEALTH CARE

April 7

- 1 On page 1 of the printed bill, line 3, delete “743B.450 and”.
- 2 After line 22, insert:
- 3 “(h) ‘Provider’ means:
- 4 “(A) An individual who is licensed, certified or registered to provide health care items or ser-
- 5 vices in this state.
- 6 “(B) A laboratory, as defined in ORS 438.010.
- 7 “(C) A health care facility.
- 8 “(D) A medical imaging licensee, as defined in ORS 688.405.
- 9 “(E) A radiologist, as defined in ORS 688.405.”.
- 10 In line 23, after “(2)” insert “(a)”.
- 11 In line 24, delete “health care facility or a participating”.
- 12 After line 27, insert:
- 13 “(b) If an enrollee chooses to receive services from a nonparticipating provider, the nonpartic-
- 14 ipating provider shall inform the enrollee that the enrollee will be financially responsible for
- 15 coinsurance, copayments or other out-of-pocket expenses attributable to choosing a nonparticipating
- 16 provider.”.
- 17 On page 2, line 1, after “provider” insert a colon and delete the rest of the line and lines 2
- 18 through 45.
- 19 On page 3, delete lines 1 through 4 and insert:
- 20 “(a) For nonemergency services, at a rate that is equal to 175 percent of the amount paid by
- 21 Medicare for the same or similar services in the same geographic area.
- 22 “(b) For emergency services, the greatest of:
- 23 “(A) The median amount negotiated for the service between the insurer or health care service
- 24 contractor and participating providers, minus any copayment or coinsurance applicable to partic-
- 25 ipating providers.
- 26 “(B) The amount calculated using the same method the insurer or health care service contractor
- 27 uses to establish the reimbursement paid to nonparticipating providers, minus any copayment or
- 28 coinsurance applicable to the service.
- 29 “(C) The amount paid by Medicare for the same or similar service in the same geographic
- 30 area.”.
- 31 In line 5, delete “4” and insert “3”.
- 32 On page 4, line 6, delete “5” and insert “4”.
- 33 On page 5, line 10, delete “6” and insert “5”.
- 34 On page 6, line 13, delete “7” and insert “6” and delete “743B.450 and”.
- 35 In line 14, delete “6” and insert “5”.

1 Delete lines 15 through 18 and insert:

2 **“SECTION 7. The Department of Consumer and Business Services shall, before the op-**  
3 **erative date specified in section 6 of this 2017 Act, take any actions necessary to implement**  
4 **section 2 of this 2017 Act and the amendments to ORS 750.055 by sections 3 to 5 of this 2017**  
5 **Act on the operative date specified in section 6 of this 2017 Act.”.**

6 In line 19, delete “9” and insert “8”.

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