

## HOUSE AMENDMENTS TO HOUSE BILL 2342

By COMMITTEE ON RULES

May 12

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and line 3  
2 and insert “and declaring an emergency.”.

3 Delete lines 5 through 30 and delete pages 2 through 12 and insert:

4 **“SECTION 1. (1) Notwithstanding any other law, the Department of Consumer and**  
5 **Business Services may, upon the recommendation of the Health Insurance Exchange Advi-**  
6 **sory Committee created in ORS 741.004, adopt rules that are not in compliance with state law**  
7 **governing health insurance if:**

8 **“(a)(A) There is a change in federal law on or after September 1, 2017, that:**

9 **“(i) Is expected to cause premium rates previously approved by the department to no**  
10 **longer meet the requirements of ORS 743.018 (4); or**

11 **“(ii) Is expected to have a substantial impact on the average out-of-pocket costs for or**  
12 **premiums paid by insureds in this state; or**

13 **“(B) A decision is made by the United States Department of Health and Human Services,**  
14 **the Internal Revenue Service or the United States Department of Labor to discontinue or**  
15 **reduce federal payments for cost-sharing reductions authorized by 42 U.S.C. 18071; and**

16 **“(b) The Director of the Department of Consumer and Business Services determines that**  
17 **the change in law or decision by a federal agency described in paragraph (a) of this sub-**  
18 **section will cause an imminent destabilization of the insurance market and risk the life or**  
19 **health of residents of this state.**

20 **“(2) The rules may be adopted as temporary rules, in accordance with ORS 183.335 (5),**  
21 **but may not be readopted in whole or in part. Rules adopted as permanent rules may not be**  
22 **in effect for a period longer than six months unless ratified by an action of the Legislative**  
23 **Assembly.**

24 **“(3) If the Department of Consumer and Business Services adopts any rules pursuant to**  
25 **its authority under this section, the department shall:**

26 **“(a) Immediately report to the President of the Senate, the Speaker of the House of**  
27 **Representatives and the interim committees of the Legislative Assembly related to health**  
28 **any action taken by the department pursuant to the rules and a full explanation of the rea-**  
29 **sons for taking the action; and**

30 **“(b) Each calendar quarter after adopting the rules, report the impact of any actions**  
31 **taken pursuant to the rules on consumers and the insurance market in this state to the**  
32 **committees or interim committees of the Legislative Assembly related to health.**

33 **“SECTION 2. Section 1 of this 2017 Act is repealed on July 1, 2019.**

34 **“SECTION 3. This 2017 Act being necessary for the immediate preservation of the public**  
35 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**

1 **on its passage.”**

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