

# House Bill 2580

Sponsored by Representative RAYFIELD; Representative OLSON (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 **as introduced**.

Exempts foster children and homeless youth from requirement to enroll in coordinated care organization in order to receive medical assistance.

### A BILL FOR AN ACT

Relating to medical assistance; amending ORS 414.631.

#### Be It Enacted by the People of the State of Oregon:

##### **SECTION 1.** ORS 414.631 is amended to read:

414.631. (1) Except as provided in subsections (2), (3), (4) and (5) of this section and ORS 414.632 (2), a person who is eligible for or receiving health services must be enrolled in a coordinated care organization to receive the health services for which the person is eligible. For purposes of this subsection, Medicaid-funded long term care services do not constitute health services.

(2) Subsections (1) and (4) of this section do not apply to:

(a) A person who is a noncitizen and who is eligible only for labor and delivery services and emergency treatment services;

(b) A person who is an American Indian and Alaskan Native beneficiary;

(c) An individual described in ORS 414.632 (2) who is dually eligible for Medicare and Medicaid and enrolled in a program of all-inclusive care for the elderly; and

(d) A person whom the Oregon Health Authority may by rule exempt from the mandatory enrollment requirement of subsection (1) of this section, including but not limited to:

(A) A person who is also eligible for Medicare;

(B) A woman in her third trimester of pregnancy at the time of enrollment;

(C) A person under 19 years of age who has been placed in adoptive [or foster] care out of state;

(D) A person under 18 years of age who is medically fragile and who has special health care needs;

(E) A person receiving services under the Medically Involved Home-Care Program created by ORS 417.345 (1); [and]

(F) A person with major medical coverage;

**(G) A foster child, as defined in ORS 418.200; and**

**(H) A person under 21 years of age who is homeless.**

(3) Subsection (1) of this section does not apply to a person who resides in an area that is not served by a coordinated care organization or where the organization's provider network is inadequate.

(4) In any area that is not served by a coordinated care organization but is served by a prepaid managed care health services organization, a person must enroll with the prepaid managed care

**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 health services organization to receive any of the health services offered by the prepaid managed  
2 care health services organization.

3 (5) As used in this section, "American Indian and Alaskan Native beneficiary" means:

4 (a) A member of a federally recognized Indian tribe;

5 (b) An individual who resides in an urban center and:

6 (A) Is a member of a tribe, band or other organized group of Indians, including those tribes,  
7 bands or groups whose recognition was terminated since 1940 and those recognized now or in the  
8 future by the state in which the member resides, or who is a descendant in the first or second de-  
9 gree of such a member;

10 (B) Is an Eskimo or Aleut or other Alaskan Native; or

11 (C) Is determined to be an Indian under regulations promulgated by the United States Secretary  
12 of the Interior;

13 (c) A person who is considered by the United States Secretary of the Interior to be an Indian  
14 for any purpose; or

15 (d) An individual who is considered by the United States Secretary of Health and Human Ser-  
16 vices to be an Indian for purposes of eligibility for Indian health care services, including as a  
17 California Indian, Eskimo, Aleut or other Alaskan Native.

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