

B-Engrossed
House Bill 2838

Ordered by the Senate June 8
Including House Amendments dated April 19 and Senate Amendments
dated June 8

Sponsored by COMMITTEE ON HEALTH CARE

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.

Requires Oregon Health Authority to take specific steps to improve assistance provided to individuals applying for or seeking to renew medical assistance eligibility.

Requires authority to [*update and furnish information monthly to coordinated care organization about members enrolled in coordinated care organization*] **provide to coordinated care organizations access to state databases and provide training to employees of coordinated care organizations who are responsible for updating member information in state databases.**

Establishes Oregon Health Authority Assister Fund consisting of contributions from coordinated care organizations, **governmental entities or nonprofit organizations** and continuously appropriates moneys in fund to Oregon Health Authority to provide grants to [*independent nonprofit*] organizations **and governmental entities** for providing application and renewal assistance.

A BILL FOR AN ACT

1
2 Relating to medical assistance; creating new provisions; and amending ORS 411.400 and 414.041.

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

4 **SECTION 1. Sections 2 and 3 of this 2017 Act are added to and made a part of ORS**
5 **chapter 414.**

6 **SECTION 2. (1) As used in this section, "application assistance" means services provided**
7 **by organizations or governmental entities with staff who are trained to assist an applicant**
8 **for, or a recipient of, medical assistance in completing application and renewal forms and**
9 **complying with procedures to qualify for the medical assistance program.**

10 **(2) In order to facilitate the enrollment of eligible individuals in the medical assistance**
11 **program, the Oregon Health Authority shall:**

12 **(a) Provide grants, in accordance with subsection (3) of this section, to organizations or**
13 **governmental entities providing application assistance to ensure that there is at least one**
14 **individual available to provide application assistance for every 1,000 medical assistance re-**
15 **ipients;**

16 **(b) Maintain an easy and efficient procedure for coordinated care organizations to refer**
17 **members to the authority for assistance with applications and renewals;**

18 **(c) Allow coordinated care organizations to provide application assistance, to the extent**
19 **permitted by federal law, to their members who are seeking to renew medical assistance;**

20 **(d) Allow coordinated care organizations to provide application assistance, to the extent**
21 **permitted by federal law, to individuals who are applying for medical assistance and who re-**
22 **side in geographic areas served by only one coordinated care organization; and**

23 **(e) Ensure that effective procedures are in place to reenroll an individual who was in-**

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 voluntarily disenrolled as a result of incarceration immediately upon the individual's dis-
2 charge from incarceration.

3 (3) Grants described in subsection (2)(a) of this section shall be paid from the Oregon
4 Health Authority Assister Fund established under section 4 of this 2017 Act. Grant recipi-
5 ents:

6 (a) Must provide objective, unbiased information to potential enrollees in the selection
7 of a coordinated care organization and other health care providers.

8 (b) May not display information or marketing materials that advertise or promote a co-
9 ordinated care organization or any of its partners or subcontractors in or within 1,000 feet
10 of the location where the grantee provides application assistance.

11 (4) The authority shall provide periodic on-site monitoring for compliance with the re-
12 quirements of this section by application assisters and at enrollment sites and shall report
13 to the Legislative Assembly any failure of a grantee to comply with subsection (3) of this
14 section.

15 (5) This section does not prevent a local public health authority, as defined in ORS
16 431.003, from providing application assistance to applicants for and recipients of medical as-
17 sistance.

18 (6) The authority shall request any federal approval that may be required in order to
19 secure federal financial participation in the costs of complying with this section.

20 **SECTION 3.** (1) The Oregon Health Authority shall update at least monthly the infor-
21 mation provided to each coordinated care organization about members enrolled in the coor-
22 dinated care organization. The updated information must include but is not limited to each
23 member's:

24 (a) Address;

25 (b) Eligibility category;

26 (c) Telephone number;

27 (d) Electronic mail address;

28 (e) Date of renewal; and

29 (f) Medical assistance termination date.

30 (2) The authority shall provide to coordinated care organizations access to state data-
31 bases and shall provide training, as needed, to employees of coordinated care organizations
32 who are responsible for updating member information in the state databases.

33 **SECTION 4.** The Oregon Health Authority Assister Fund is established in the State
34 Treasury, separate and distinct from the General Fund. The Oregon Health Authority
35 Assister Fund consists of voluntary contributions from coordinated care organizations, gov-
36 ernmental entities or nonprofit organizations that do not receive grants under section 2 of
37 this 2017 Act. Moneys in the fund are continuously appropriated to the Oregon Health Au-
38 thority to provide grants under section 2 of this 2017 Act.

39 **SECTION 5.** ORS 414.041 is amended to read:

40 414.041. (1) The Oregon Health Authority, under the direction of the Oregon Health Policy
41 Board and in collaboration with the Department of Human Services, shall implement a streamlined
42 and simple application **and renewal** process for the medical assistance and premium assistance
43 programs administered by the Oregon Health Authority. The process must meet the requirements
44 of ORS 411.400, 411.402, 411.404, 411.406, 411.408 and 411.967 **and section 2 of this 2017 Act.**

45 (2) *[In developing the simplified application process, the authority shall consult with]* **The au-**

1 **thority shall convene an advisory group, that includes stakeholders and** persons not employed
2 by the authority who have experience in serving vulnerable and hard-to-reach populations, **to de-**
3 **velop, implement and continuously improve the application and renewal process for the**
4 **medical assistance program.**

5 (3) The authority and the department shall facilitate outreach and enrollment efforts to connect
6 eligible individuals with all available publicly funded health programs.

7 **SECTION 6.** ORS 411.400 is amended to read:

8 411.400. (1) An application for any category of aid shall also constitute an application for med-
9 ical assistance.

10 (2) Except as provided in subsection (6) of this section, the Department of Human Services and
11 the Oregon Health Authority shall accept an application for medical assistance and any required
12 verification of eligibility from the applicant, an adult who is in the applicant's household or family,
13 an authorized representative of the applicant or, if the applicant is a minor or incapacitated, some-
14 one acting on behalf of the applicant:

- 15 (a) Over the Internet;
- 16 (b) By telephone;
- 17 (c) By mail;
- 18 (d) In person; and
- 19 (e) Through other commonly available electronic means.

20 (3) The department and the authority may require an applicant or person acting on behalf of
21 an applicant to provide only the information necessary for the purpose of making an eligibility de-
22 termination or for a purpose directly connected to the administration of medical assistance or the
23 health insurance exchange.

24 (4) The department and the authority shall provide application and [*recertification*] **renewal** as-
25 sistance, **in accordance with section 2 of this 2017 Act**, to individuals with disabilities, individuals
26 with limited English proficiency, individuals facing physical or geographic barriers and individuals
27 seeking help with the application for medical assistance or recertification of eligibility for medical
28 assistance:

- 29 (a) Over the Internet;
- 30 (b) By telephone; and
- 31 (c) In person.

32 (5)(a) The Department of Human Services and the authority shall promptly transfer information
33 received under this section to the Department of Consumer and Business Services, the United States
34 Department of Health and Human Services or the Internal Revenue Service as necessary for the
35 determination of eligibility for the health insurance exchange, premium tax credits or cost-sharing
36 reductions.

37 (b) The Department of Human Services shall promptly transfer information received under this
38 section to the authority for individuals who are eligible for medical assistance because they qualify
39 for public assistance.

40 (6) The Department of Human Services and the authority shall accept from the Department of
41 Consumer and Business Services an application and any verification that was submitted to the De-
42 partment of Consumer and Business Services by an applicant or on behalf of an applicant in order
43 for the Department of Human Services or the authority to determine the applicant's eligibility for
44 medical assistance.

45 **SECTION 7.** ORS 414.041 is added to and made a part of ORS chapter 414.

