

Enrolled
House Bill 3276

Sponsored by Representative NATHANSON, Senator STEINER HAYWARD, Representative GREENLICK; Representatives FAHEY, HOLVEY, SMITH WARNER

CHAPTER

AN ACT

Relating to health care; and declaring an emergency.

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

SECTION 1. Section 2 of this 2017 Act is added to and made a part of the Insurance Code.

SECTION 2. (1) As used in this section:

(a) "Condition of public health importance" has the meaning given that term in ORS 431A.005.

(b) "Disease outbreak" has the meaning given that term in ORS 431A.005.

(c) "Enrollee" means an individual residing in this state who:

(A) Is enrolled in a health benefit plan; and

(B) The Public Health Director determines may be affected by a disease outbreak, epidemic or other condition of public health importance.

(d) "Epidemic" has the meaning given that term in ORS 431A.005.

(e) "Health benefit plan" has the meaning given that term in ORS 743B.005.

(f) "Insurer" means a person with a certificate of authority to transact insurance in this state.

(2) If the director determines that there exists a disease outbreak, epidemic or other condition of public health importance in a geographic area of this state or statewide, an insurer shall, for enrollees in a health benefit plan offered by the insurer, cover the cost of necessary antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and other pharmaceutical agents, medical supplies or other prophylactic measures approved by the United States Food and Drug Administration that the director deems necessary to prevent the spread of the disease, epidemic or other condition of public health importance.

(3) An insurer may not restrict coverage under subsection (2) of this section by:

(a) Requiring that the health services be administered by an in-network provider;

(b) Imposing cost-sharing requirements that are greater than the cost-sharing requirements for similar covered services;

(c) Requiring prior authorization or other utilization control measures; or

(d) Limiting coverage in any manner that prevents an enrollee from accessing the necessary health services.

SECTION 3. (1) The Public Health Director shall convene a task force consisting of representatives from public universities and other key stakeholders, including but not limited to representatives of:

(a) The Department of Consumer and Business Services;

- (b) Insurers;
- (c) Coordinated care organizations; and
- (d) Local public health authorities.

(2) The task force shall:

(a) Make recommendations for legislative changes that would improve student health insurance coverage;

(b) Recommend changes to public health policies with respect to vaccinations in order to better address public health emergencies in the future; and

(c) Identify opportunities to minimize the fragmentation of vaccine financing and delivery during a public health emergency.

(3) The director shall prepare a report of the findings of the task force, along with recommendations for any legislative changes, and submit the report to the Legislative Assembly, in the manner provided in ORS 192.245, no later than October 30, 2017.

SECTION 4. Section 3 of this 2017 Act is repealed on December 31, 2017.

SECTION 5. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by House July 1, 2017

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 Timothy G. Sekerak, Chief Clerk of House

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 Tina Kotek, Speaker of House

Passed by Senate July 5, 2017

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 Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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 Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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 Dennis Richardson, Secretary of State