

Requested by HOUSE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2339**

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  
5 health care items or services 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  
14 provider, the nonparticipating provider shall inform the enrollee that the  
15 enrollee will be financially responsibility for coinsurance, copayments or  
16 other out-of-pocket expenses attributable to choosing a nonparticipating  
17 provider.”.

18 On page 2, line 1, after “provider” insert a colon and delete the rest of  
19 the line and lines 2 through 45.

20 On page 3, delete lines 1 through 4 and insert:

21 “(a) For nonemergency services, at a rate that is equal to 225 percent of

1 the amount paid by Medicare for the same or similar services in the same  
2 geographic area.

3 “(b) For emergency services, the greatest of:

4 “(A) The median amount negotiated for the service between the insurer  
5 or health care service contractor and participating providers, minus any  
6 copayment or coinsurance applicable to participating providers.

7 “(B) The amount calculated using the same method the insurer or health  
8 care service contractor uses to establish the reimbursement paid to nonpar-  
9 ticipating providers, minus any copayment or coinsurance applicable to the  
10 service.

11 “(C) The amount paid by Medicare for the same or similar service in the  
12 same geographic area.”.

13 In line 5, delete “4” and insert “3”.

14 On page 4, line 6, delete “5” and insert “4”.

15 On page 5, line 10, delete “6” and insert “5”.

16 On page 6, line 13, delete “7” and insert “6” and delete “743B.450 and”.

17 In line 14, delete “6” and insert “5”.

18 Delete lines 15 through 18 and insert:

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

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

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