

## FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session  
Legislative Fiscal Office

Measure: SB 740 - B

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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Date: May 30, 2019

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### **Measure Description:**

Requires health benefit plans that cover radiation therapy for cancer to cover proton beam therapy on basis no less favorable than other covered benefits.

### **Government Unit(s) Affected:**

Department of Consumer and Business Services (DCBS), Oregon Health Authority (OHA)

### **Summary of Fiscal Impact:**

Costs related to the measure are indeterminate, at this time - See explanatory analysis.

### **Analysis:**

SB 740 requires health benefit plans that cover radiation therapy to treat cancer to also provide coverage for proton beam therapy at the same benefit level. The -A4 amendment stipulates that the coverage of proton beam therapy may be subject to prior authorization.

#### Department of Consumer and Business Services (DCBS)

The fiscal impact of this measure on DCBS is indeterminate. The expanded coverage required by this measure may be considered a new mandate under the Affordable Care Act (ACA). This Act requires states to offset the cost of mandated benefits enacted after December 2011 for plans issued through the health insurance marketplace. The federal guidance does not clarify whether offsets must be paid out of the General Fund or from other state funds such as marketplace assessment funds.

#### Oregon Health Authority (OHA)

Passage of this bill is anticipated to have no impact on the Oregon Health Plan (OHP). Under current practice, proton beam therapy is a covered OHP benefit, subject to prior authorization using Health Evidence Review Commission (HERC) guidelines. The A4 amendment aligns with current practice, allowing for prior authorization and utilization review for proton beam therapy.

#### Oregon Educators Benefit Board (OEBB)

Passage of this bill is anticipated to have no impact on OEBB. The stipulation that proton beam therapy is subject to prior authorization aligns with Moda's current practice.

#### Public Employees Benefits Board (PEBB)

Passage of this bill is anticipated to have no impact on PEBB. Providence Health, PEBB's largest health plan, reports that the requirements for proton beam therapy treatment will not change PEBB's current procedure for coverage of proton beam therapy treatment for cancer.