

Requested by Representative KENY-GUYER

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1041**

1 On page 1 of the printed A-engrossed bill, line 3, after “413.181” insert “,
2 414.065”.

3 On page 28, after line 43, insert:

4 **“SECTION 59.** ORS 414.065 is amended to read:

5 “414.065. (1)(a) With respect to health care and services to be provided in
6 medical assistance during any period, the Oregon Health Authority shall
7 determine, subject to such revisions as it may make from time to time and
8 subject to legislative funding and paragraph (b) of this subsection:

9 “(A) The types and extent of health care and services to be provided to
10 each eligible group of recipients of medical assistance.

11 “(B) Standards, including outcome and quality measures, to be observed
12 in the provision of health care and services.

13 “(C) The number of days of health care and services toward the cost of
14 which medical assistance funds will be expended in the care of any person.

15 “(D) Reasonable fees, charges, daily rates and global payments for meet-
16 ing the costs of providing health services to an applicant or recipient.

17 “(E) Reasonable fees for professional medical and dental services which
18 may be based on usual and customary fees in the locality for similar services.

19 “(F) The amount and application of any copayment or other similar cost-
20 sharing payment that the authority may require a recipient to pay toward
21 the cost of health care or services.

1 “(b) The authority shall adopt rules establishing timelines for payment
2 of health services under paragraph (a) of this subsection.

3 “(2) The types and extent of health care and services and the amounts to
4 be paid in meeting the costs thereof, as determined and fixed by the author-
5 ity and within the limits of funds available therefor, shall be the total
6 available for medical assistance and payments for such medical assistance
7 shall be the total amounts from medical assistance funds available to pro-
8 viders of health care and services in meeting the costs thereof.

9 “(3) Except for payments under a cost-sharing plan, payments made by the
10 authority for medical assistance shall constitute payment in full for all
11 health care and services for which such payments of medical assistance were
12 made.

13 “(4) Notwithstanding subsections (1) and (2) of this section, the Depart-
14 ment of Human Services shall be responsible for determining the payment for
15 Medicaid-funded long term care services and for contracting with the pro-
16 viders of long term care services.

17 “(5)(a) In determining a global budget for a coordinated care organiza-
18 tion:

19 “[*a*] (A) The allocation of the payment, the risk and any cost savings
20 shall be determined by the governing body of the organization;

21 “[*b*] (B) The authority shall consider the community health assessment
22 conducted by the organization and reviewed annually, and the organization’s
23 health care costs; [*and*]

24 “[*c*] (C) The authority shall take into account the organization’s pro-
25 vision of innovative, nontraditional health services[.]; **and**

26 **“(D) Each rate cell in the global budget must be certified by the**
27 **authority’s actuary to be actuarially sound as required by federal law.**

28 **“(b) As used in this subsection, ‘actuarially sound’ means estab-**
29 **lished using a method that takes into account all reasonable, appro-**
30 **priate and attainable costs under the terms of a coordinated care**

1 **organization's contract and complies with federal requirements.**

2 “(6) Under the supervision of the Governor, the authority may work with
3 the Centers for Medicare and Medicaid Services to develop, in addition to
4 global budgets, payment streams:

5 “(a) To support improved delivery of health care to recipients of medical
6 assistance; and

7 “(b) That are funded by coordinated care organizations, counties or other
8 entities other than the state whose contributions qualify for federal matching
9 funds under Title XIX or XXI of the Social Security Act.”.

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