

HB 4134 B STAFF MEASURE SUMMARY

Carrier: Sen. Steiner Hayward

Senate Committee On Rules

Action Date: 02/24/22

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Girod, Knopp, Manning Jr, Taylor, Wagner

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Brian Nieubuurt

Meeting Dates: 2/24

WHAT THE MEASURE DOES:

Specifies reimbursement to be paid by health benefit plan when labor and delivery services, including emergency medical transports, are provided by out-of-network provider solely due to diversion of patient for reasons related to state or federal declaration of public health emergency. Prohibits health benefit plan from cost-sharing that exceeds amounts applicable to in-network providers. Requires plans offered by the Public Employees' Benefit Board (PEBB) and Oregon Educators Benefit Board (OEBB) to comply with labor and delivery reimbursement requirements. Prohibits out-of-network provider from billing insured individual for labor and delivery services if services are provided by the out-of-network provider due solely to the diversion of the individual from an in-network provider during a state or federally declared public health emergency. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Diversion of patients both due to COVID-19 and other circumstances
- Financial impacts of receiving out-of-network care

EFFECT OF AMENDMENT:

Clarifies requirement that health benefit plan cover emergency medical services transports of the individual between medical facilities if the individual presents with signs of labor.

BACKGROUND:

Health insurance companies often contract with hospitals, doctors, pharmacies, and other health care providers to deliver medical services for an agreed-upon rate, making up the insurer's network. Services received from providers not in the insurer's network often have higher beneficiary cost-sharing when covered by the insurer. Staff shortages and other capacity issues during the COVID-19 pandemic caused many hospitals to divert care to other facilities. This diversion can cause an insured individual to receive care from a provider that is outside of their insurer's network, resulting in increased cost-sharing for the individual.

House Bill 4134 B specifies insurer reimbursement of out-of-network labor and delivery services if the services were provided out-of-network solely due to the diversion of the patient for a reason related to a public health emergency declaration.