

DRAFT

SUMMARY

Digest: The Act creates the Task Force on the Prioritized List of Health Services. (Flesch Readability Score: 83.0).

Establishes the Task Force on the Prioritized List of Health Services. Directs the task force to study the impacts of eliminating the prioritized list of health services and report to the interim committees of the Legislative Assembly related to health no later than March 15, 2026.

Sunsets the task force on January 2, 2028.

Declares an emergency, effective July 1, 2025.

A BILL FOR AN ACT

1
2 Relating to the prioritized list of health services; and declaring an emer-
3 gency.

4 Whereas Oregon’s prioritized list of health services has been a core
5 principle of the state’s medical assistance program for 30 years; and

6 Whereas the Centers for Medicare and Medicaid Services has required the
7 state to phase out use of the prioritized list from the state’s demonstration
8 project under section 1115 of the Social Security Act (42 U.S.C. 1315); and

9 Whereas the principles and underlying intent of the prioritized list are
10 essential to the state’s medical assistance program; and

11 Whereas the Health Evidence Review Commission serves the goal of
12 health care transformation by using data-driven evidence to make funding
13 and coverage decisions; and

14 Whereas Oregon seeks to ensure, to the greatest extent possible, an eq-
15 uitable and sustainable application of the prioritized list in future state plan
16 amendments; now, therefore,

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

1 **SECTION 1. (1) The Task Force on the Prioritized List of Health**
2 **Services is established.**

3 **(2) The task force consists of 24 members appointed as follows:**

4 **(a) The President of the Senate shall appoint two members who are**
5 **not members of the same political party from among members of the**
6 **Senate.**

7 **(b) The Speaker of the House of Representatives shall appoint two**
8 **members who are not members of the same political party from among**
9 **members of the House of Representatives.**

10 **(c) The Governor shall appoint 20 members who reflect the ge-**
11 **ographic diversity of this state, as follows:**

12 **(A) One representative of the Oregon Health Authority;**

13 **(B) One representative of the Department of Human Services;**

14 **(C) One health care advisor to the Governor;**

15 **(D) Two representatives of the disability community;**

16 **(E) One representative of the nine federally recognized Indian tribes**
17 **in this state;**

18 **(F) One representative of a dental care organization;**

19 **(G) One representative of a statewide association representing be-**
20 **havioral health providers;**

21 **(H) Five representatives of coordinated care organizations, as de-**
22 **defined in ORS 414.025, including at least one from a rural service area**
23 **and one from an urban service area;**

24 **(I) Two representatives with expertise in actuarial data;**

25 **(J) Two representatives with expertise in medical management;**

26 **(K) One representative with expertise in claims adjudication; and**

27 **(L) Two community members who currently receive medical as-**
28 **sistance, as defined in ORS 414.025.**

29 **(3) The task force shall study the potential impacts of eliminating**
30 **the prioritized list of health services compiled by the Health Evidence**
31 **Review Commission under ORS 414.690, including:**

1 (a) The transition to determining coverage of health services in the
2 state’s medical assistance program without use of the prioritized list
3 of health services, including how “medical necessity” will be defined;

4 (b) The future role of the Health Evidence Review Commission, in-
5 cluding with regard to state plan amendments;

6 (c) Impacts to the use of sustainability in the Oregon Integrated
7 and Coordinated Health Care Delivery System established in ORS
8 414.570; and

9 (d) Impacts to the claims adjudication process in the state’s medical
10 assistance program.

11 (4) A majority of the voting members of the task force constitutes
12 a quorum for the transaction of business.

13 (5) Official action by the task force requires the approval of a ma-
14 jority of the voting members of the task force.

15 (6) The task force shall elect one of its members to serve as chair-
16 person.

17 (7) If there is a vacancy for any cause, the appointing authority
18 shall make an appointment to become immediately effective.

19 (8) The task force shall meet at least quarterly until June 30, 2027,
20 and at any other times and places specified by the call of the chair-
21 person or of a majority of the voting members of the task force.

22 (9) The task force may adopt rules necessary for the operation of
23 the task force.

24 (10) The task force shall submit a report in the manner provided
25 by ORS 192.245, and may include recommendations for addressing the
26 impacts of eliminating the use of the prioritized list of health services
27 in the state’s medical assistance program, to the interim committees
28 of the Legislative Assembly related to health no later than March 15,
29 2026.

30 (11)(a) The Legislative Policy and Research Director, in collab-
31 oration with the Oregon Health Authority, shall provide staff support

1 to the task force.

2 (b) The director may contract with third parties to study the po-
3 tential impacts described in subsection (3) of this section.

4 (12) Members of the Legislative Assembly appointed to the task
5 force are nonvoting members of the task force and may act in an ad-
6 visory capacity only.

7 (13) Members of the task force who are not members of the Legis-
8 lative Assembly are not entitled to compensation or reimbursement
9 for expenses and serve as volunteers on the task force.

10 (14) All agencies of state government, as defined in ORS 174.111, are
11 directed to assist the task force in the performance of the duties of the
12 task force and, to the extent permitted by laws relating to
13 confidentiality, to furnish information and advice the members of the
14 task force consider necessary to perform their duties.

15 SECTION 2. Section 1 of this 2025 Act is repealed on January 2, 2028.

16 SECTION 3. In addition to and not in lieu of any other appropri-
17 ation, there is appropriated to the Legislative Policy and Research
18 Committee, for the biennium beginning July 1, 2025, out of the General
19 Fund, the amount of \$500,000, which may be expended for the purpose
20 of carrying out the provisions of section 1 of this 2025 Act.

21 SECTION 4. This 2025 Act being necessary for the immediate pres-
22 ervation of the public peace, health and safety, an emergency is de-
23 clared to exist, and this 2025 Act takes effect July 1, 2025.

24