

SB 966 STAFF MEASURE SUMMARY**Senate Committee On Health Care**

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Meeting Dates: 3/15

WHAT THE MEASURE DOES:

Directs the Oregon Health Authority (OHA) to prescribe standards by rule to include sexual orientation and gender identity (SOGI) among data collected for the All Payer All Claims (APAC) database. Specifies that OHA may share APAC data with researchers and allows OHA to charge for the service of providing data to researchers, insurers, employers, and providers. Modifies membership of the Health Insurance Exchange Advisory Committee. Repeals the COFA premium assistance program. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:**EFFECT OF AMENDMENT:**

Prohibits the Oregon Health Authority from sharing All Payer All Claims (APAC) data obtained from self-funded, employer-sponsored health insurance plans regulated under the Employee Retirement Income Security Act (ERISA).

BACKGROUND:

The Oregon All Payer All Claims Reporting Program (APAC) was established in 2009. It contains health care data on topics such as insurance coverage, health service cost, and utilization for Oregon's insured populations. APAC receives medical claims, dental claims, pharmacy claims, payment amounts, member demographics, billed premiums, and provider information. Data are received from insurance companies, third party administrators, and pharmacy benefits managers. APAC data may be shared with insurers, employers, and providers, but there is no specific statutory provision to share data with researchers, nor is OHA directed in statute to charge for the costs associated with sharing data.

The Health Insurance Exchange Advisory Committee was created to advise the Oregon Health Policy Board in the development and implementation of policies and operational procedures governing the administration of a health insurance exchange in this state. The advisory committee consists of 15 members appointed by the Governor and confirmed by the Senate, representing insurers, insurance producers, navigators, health care providers, businesses, consumer advocacy groups, enrollees in health plans, and medical assistance agencies. The Director of the Department of Consumer and Business Services is an ex-officio member. Committee members are appointed for a two-year term.

Beginning in 2021, states must cover COFA migrants in Medicaid as “qualified non-citizens,” without a 5-year waiting period, if otherwise eligible under the Medicaid state plan or section 1115 demonstration. COFA migrants in Oregon are eligible for the Oregon Health Plan ([link](#) to OHA COFA Premium Assistance Program website).

Senate bill 966 adds sexual orientation and gender identity to the types of data collected for the All Payer All Claims (APAC) database, allows OHA to share APAC data with researchers, allows OHA to charge for any (APAC)

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data shared, modifies membership of the Health Insurance Exchange Advisory Committee, and repeals the COFA premium assistance program.

PRELIMINARY