House Bill 3038

Sponsored by Representative HIEB; Representatives LEVY B, MORGAN, Senators FREDERICK, THATCHER (at the request of Zavion Phillips) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires health benefit plan coverage of donated human breast milk for infant if prescribed by licensed medical professional.

A BILL FOR AN ACT

Relating to donated human breast milk.

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

SECTION 1. Section 2 of this 2023 Act is added to and made a part of the Insurance Code.

SECTION 2. (1) As used in this section:

(a) “Health benefit plan” has the meaning given that term in ORS 743B.005.

(b) “Infant” means a child who:

(A) Is 12 months of age or younger; or

(B) Was born prematurely and would be 12 months of age or younger if born on the child’s due date.

(2) An individual or group health benefit plan issued in this state that reimburses the cost of postnatal care shall reimburse the cost of donated human breast milk, which may include human milk fortifiers, for a child enrolled in the health benefit plan if:

(a) The human breast milk or fortifiers are prescribed for the child by a licensed medical professional who determines that the donated human breast milk or fortifiers are medically necessary for the child;

(b) The milk is obtained from a human breast milk bank that meets quality standards established by the Oregon Health Authority or by the Human Milk Banking Association of North America or its successor organization;

(c) The child’s mother is unable to produce maternal breast milk in sufficient quantities to meet the child’s needs, or the mother’s breast milk is contraindicated; and

(d) The child is an infant and:

(A) The infant’s birth weight was below 2,300 grams; or

(B) The infant’s weight is in the 10th percentile on the applicable growth chart.

(3) This section is exempt from ORS 743A.001.

SECTION 3. Section 2 of this 2023 Act applies to policies or certificates of insurance issued, renewed or extended on or after the effective date of this 2023 Act.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

LC 1014