

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
HOUSE BILL 3157**

1 On page 1 of the printed bill, delete lines 5 through 27 and delete pages
2 2 through 4 and insert:

3 **“SECTION 1. (1) The Health Insurance Mandate Review Advisory
4 Committee is established.**

5 **“(2) The advisory committee consists of the following members:**

6 **“(a) The President of the Senate and the Speaker of the House of
7 Representatives shall jointly appoint:**

8 **“(A) One member representing businesses that offer group health
9 insurance plans to employees.**

10 **“(B) One member representing insurers that offer health benefit
11 plans.**

12 **“(C) One member representing health care providers who are not
13 employed by insurers that offer health benefit plans.**

14 **“(D) One member representing consumers of health insurance ben-
15 efits who are not representative of businesses that offer group health
16 insurance, insurers or health care providers.**

17 **“(E) One member representing an organization or collaborative that
18 promotes health equity policies and practices that are informed by
19 racial justice principles.**

20 **“(b) The executive director of the Oregon Educators Benefit Board
21 and the Public Employees’ Benefit Board or the executive director’s**

1 **designee.**

2 **“(c) The director of the Health Evidence Review Commission or the**
3 **director’s designee.**

4 **“(3) The advisory committee shall develop and implement a process**
5 **for reviewing and producing a report on all proposed legislative meas-**
6 **ures and amendments to measures described in ORS 171.875. For each**
7 **proposed measure or amendment, the advisory committee shall engage**
8 **with the member of the Legislative Assembly who is the chief sponsor**
9 **of the measure or amendment to analyze the factors listed in ORS**
10 **171.880 and other relevant data and make findings on each factor.**

11 **“(4) With respect to each proposed measure or amendment to a**
12 **measure, the Legislative Policy and Research Director shall collab-**
13 **orate with the Department of Consumer and Business Services to col-**
14 **lect and compile the data needed to analyze each factor listed in ORS**
15 **171.880. The advisory committee shall make findings based on the data**
16 **and produce the report required by ORS 171.875. The report may not**
17 **contain policy recommendations.**

18 **“(5) The advisory committee shall produce the report described in**
19 **subsection (4) of this section on a proposed measure or amendment**
20 **submitted to the advisory committee for review:**

21 **“(a) By January 15 for proposed measures during an interim be-**
22 **tween sessions of the Legislative Assembly; and**

23 **“(b) No later than two weeks from receipt for a measure proposed**
24 **during a session of the Legislative Assembly or for an amendment to**
25 **a measure that requires a report under ORS 171.875.**

26 **“(6) The term of office of members is four years, but the President**
27 **and Speaker may jointly remove a member for any cause. If there is**
28 **a vacancy for any cause, the President and the Speaker shall make**
29 **an appointment to become immediately effective for the unexpired**
30 **term.**

1 **“(7) A majority of the voting members of the advisory committee**
2 **constitutes a quorum for the transaction of business.**

3 **“(8) Official action by the advisory committee requires the approval**
4 **of a majority of the voting members of the advisory committee.**

5 **“(9) The advisory committee shall elect one of its members to serve**
6 **as chairperson.**

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

9 **“(11) The advisory committee shall meet at times and places speci-**
10 **fied by the call of the chairperson or of a majority of the voting**
11 **members of the advisory committee.**

12 **“(12) The advisory committee may adopt rules necessary for the**
13 **operation of the advisory committee.**

14 **“(13) The Legislative Policy and Research Director and the Legisla-**
15 **tive Fiscal Officer shall provide staff support to the advisory commit-**
16 **tee.**

17 **“(14) Members of the advisory committee are not entitled to com-**
18 **pensation or reimbursement for expenses and serve as volunteers on**
19 **the advisory committee.**

20 **“(15) All agencies of state government, as defined in ORS 174.111,**
21 **and the Oregon Health and Science University are directed to assist**
22 **the advisory committee in the performance of the duties of the advi-**
23 **sory committee and, to the extent permitted by laws relating to**
24 **confidentiality, to furnish information and advice the members of the**
25 **advisory committee consider necessary to perform their duties.**

26 **“SECTION 2. ORS 171.875 is amended to read:**

27 **“171.875. (1) Every proposed legislative measure or legislative concept**
28 **that mandates a health insurance coverage and every amendment that, if**
29 **adopted, would result in the measure becoming a measure that man-**
30 **dates a health insurance coverage, whether by requiring payment for**

1 certain providers or by requiring an offering of a health insurance coverage
2 by an insurer or health care service contractor as a component of individual
3 or group health insurance policies, *[shall]* **may, upon the request of a**
4 **chair or vice chair under subsection (2) of this section,** be accompanied
5 by a report *[that assesses]* **produced by the Health Insurance Mandate**
6 **Review Advisory Committee established under section 1 of this 2023**
7 **Act. The report must assess in the manner provided in ORS 171.880**
8 **[both] the [social and] financial effects, the effects on equity of the cover-**
9 **age [in the manner provided in ORS 171.880, including] and the efficacy of**
10 **the treatment or service proposed. [The report may be prepared either by the**
11 **chief sponsor or by any other proponent of the proposed measure. The report**
12 **shall be submitted with the proposed measure when the proposed measure is**
13 **submitted for filing, and shall be in writing and be a public record.]**

14 **“(2) The chairs or the vice chairs of the committees of the Legisla-**
15 **tive Assembly related to health may request a convening of a meeting**
16 **of the Health Insurance Mandate Review Advisory Committee to**
17 **produce a report on any proposed measure or legislative concept that**
18 **mandates a health insurance coverage or an amendment that, if**
19 **adopted, would result in the measure becoming a measure that man-**
20 **dates a health insurance coverage.**

21 **“(3) A report produced by the Health Insurance Mandate Review**
22 **Advisory Committee may be used in lieu of a fiscal impact statement**
23 **required by ORS 173.025.**

24 **“SECTION 3. ORS 171.880 is amended to read:**

25 **“171.880. [The] A Health Insurance Mandate Review Advisory Com-**
26 **mittee report required under ORS 171.875, to the extent that information is**
27 **available, shall include but need not be limited to [the following] analyses**
28 **by the advisory committee and findings by the committee on:**

29 **“[(1) Answers to the following questions concerning the social effect of the**
30 **proposed measure:]**

1 *“(a) To what extent is the treatment or service used by the general popu-*
2 *lation of Oregon?”*

3 *“(b) To what extent is the insurance coverage already generally available*
4 *in Oregon?”*

5 *“(c) What proportion of the population of Oregon already has such cover-*
6 *age?”*

7 *“(d) To what extent does the lack of coverage result in financial hardship*
8 *in Oregon?”*

9 *“(e) What evidence exists to document the medical need in Oregon for the*
10 *proposed treatment or services?”*

11 *“(2) Answers to the following questions concerning the financial effect of*
12 *the proposed measure:]*

13 *“(a) To what extent is the coverage expected to increase or decrease the cost*
14 *of treatment or services?”*

15 *“(b) To what extent is the coverage expected to increase the use of the*
16 *treatment or services?”*

17 *“(c) To what extent is the mandated treatment or services expected to be*
18 *a substitute for more expensive treatment or services?”*

19 *“(d) To what extent is the coverage expected to increase or decrease the*
20 *administrative expenses of insurance companies and the premium and admin-*
21 *istrative expenses of policyholders?”*

22 *“(e) What will be the effect of this coverage on the total cost of health*
23 *care?”*

24 **“(1) The evidence that exists to document the medical need for the**
25 **treatment or service in the proposal;**

26 **“(2) The extent of the coverage under the proposal;**

27 **“(3) Whether the proposal ensures more or less equitable access to**
28 **treatment and services by residents of this state;**

29 **“(4) Whether denying the coverage under the proposal will dispro-**
30 **portionately impact individuals described in ORS 746.021 and if so, a**

1 description of the impact;

2 “(5) Whether the coverage under the proposal is an essential health
3 benefit as defined in ORS 731.097;

4 “(6) Other state or federal laws that relate to the proposal including
5 whether other states are defraying the cost of similar coverage in ac-
6 cordance with 42 U.S.C. 18031(d)(3);

7 “(7) The extent to which the coverage in the proposal is already
8 provided by the Public Employees’ Benefit Board, the Oregon Educa-
9 tors Benefit Board or individual, small employer group and large em-
10 ployer group health insurance plans;

11 “(8) The extent to which the coverage in the proposal is provided
12 in the state medical assistance program as prescribed by the Oregon
13 Health Authority under ORS 414.065 or in Medicare Parts A through
14 D;

15 “(9) The extent to which a lack of the coverage in the proposal re-
16 sults in financial hardship to residents of this state; and

17 “(10) The financial effects of the proposal based on an actuarial
18 analysis including:

19 “(a) The extent to which the proposal is expected to increase or
20 decrease the cost of treatment or services and the utilization of
21 treatment and services;

22 “(b) The extent to which the treatment or service covered by the
23 proposal is expected to substitute for more expensive treatment or
24 services;

25 “(c) The per member per month cost of the proposal on the Public
26 Employees’ Benefit Board, the Oregon Educators Benefit Board and
27 enrollees in individual, small employer group and large employer
28 group health insurance plans;

29 “(d) The extent to which the coverage required by the proposal will
30 cause an increase in premiums that will impose a financial hardship

1 on residents in this state, particularly in rural areas or frontier areas,
2 as designated by the Office of Rural Health; and

3 “(e) The estimated impact of the proposal on the total cost of health
4 care in this state.

5 **“SECTION 4. Notwithstanding the term of office specified in section
6 1 (6) of this 2023 Act, of the members first appointed to the Health
7 Insurance Mandate Review Advisory Committee who are described in
8 section 1 (2)(a) of this 2023 Act:**

9 **“(1) One shall serve a term ending January 1, 2025.**

10 **“(2) Two shall serve terms ending January 1, 2026.**

11 **“(3) Two shall serve terms ending January 1, 2027.**

12 **“SECTION 5. This 2023 Act takes effect on the 91st day after the
13 date on which the 2023 regular session of the Eighty-second Legislative
14 Assembly adjourns sine die.”.**

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