

# House Bill 2212

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Behavioral Health and Health Care for Representative Rob Nosse)

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

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 Relating to the prioritized list of health services; and declaring an emergency.

2 Whereas Oregon's prioritized list of health services has been a core principle of the state's  
3 medical assistance program for 30 years; and

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

7 Whereas the principles and underlying intent of the prioritized list are essential to the state's  
8 medical assistance program; and

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

11 Whereas Oregon seeks to ensure, to the greatest extent possible, an equitable and sustainable  
12 application of the prioritized list in future state plan amendments; now, therefore,

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

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

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

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

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

20 **(c) The Governor shall appoint 20 members who reflect the geographic diversity of this**  
21 **state, as follows:**

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

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

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

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

26 **(E) One representative of the nine federally recognized Indian tribes in this state;**  
27

**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.

1 (F) One representative of a dental care organization;

2 (G) One representative of a statewide association representing behavioral health provid-  
3 ers;

4 (H) Five representatives of coordinated care organizations, as defined in ORS 414.025,  
5 including at least one from a rural service area and one from an urban service area;

6 (I) Two representatives with expertise in actuarial data;

7 (J) Two representatives with expertise in medical management;

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

9 (L) Two community members who currently receive medical assistance, as defined in  
10 ORS 414.025.

11 (3) The task force shall study the potential impacts of eliminating the prioritized list of  
12 health services compiled by the Health Evidence Review Commission under ORS 414.690, in-  
13 cluding:

14 (a) The transition to determining coverage of health services in the state's medical as-  
15 sistance program without use of the prioritized list of health services, including how "med-  
16 ical necessity" will be defined;

17 (b) The future role of the Health Evidence Review Commission, including with regard to  
18 state plan amendments;

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

21 (d) Impacts to the claims adjudication process in the state's medical assistance program.

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

24 (5) Official action by the task force requires the approval of a majority of the voting  
25 members of the task force.

26 (6) The task force shall elect one of its members to serve as chairperson.

27 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
28 ment to become immediately effective.

29 (8) The task force shall meet at least quarterly until June 30, 2027, and at any other  
30 times and places specified by the call of the chairperson or of a majority of the voting  
31 members of the task force.

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

33 (10) The task force shall submit a report in the manner provided by ORS 192.245, and  
34 may include recommendations for addressing the impacts of eliminating the use of the pri-  
35 oritized list of health services in the state's medical assistance program, to the interim  
36 committees of the Legislative Assembly related to health no later than March 15, 2026.

37 (11)(a) The Legislative Policy and Research Director, in collaboration with the Oregon  
38 Health Authority, shall provide staff support to the task force.

39 (b) The director may contract with third parties to study the potential impacts described  
40 in subsection (3) of this section.

41 (12) Members of the Legislative Assembly appointed to the task force are nonvoting  
42 members of the task force and may act in an advisory capacity only.

43 (13) Members of the task force who are not members of the Legislative Assembly are not  
44 entitled to compensation or reimbursement for expenses and serve as volunteers on the task  
45 force.

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

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

6       **SECTION 3.** In addition to and not in lieu of any other appropriation, there is appropri-  
7 **ated to the Legislative Policy and Research Committee, for the biennium beginning July 1,**  
8 **2025, out of the General Fund, the amount of \$500,000, which may be expended for the pur-**  
9 **pose of carrying out the provisions of section 1 of this 2025 Act.**

10       **SECTION 4.** This 2025 Act being necessary for the immediate preservation of the public  
11 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
12 **July 1, 2025.**

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