

Requested by Senator HAYDEN

**PROPOSED AMENDMENTS TO
SENATE BILL 951**

1 On page 1 of the printed bill, line 2, after “58.376,” insert “414.611”.

2 On page 11, after line 43, insert:

3 **“SECTION 10.** ORS 414.611 is amended to read:

4 “414.611. (1) **Unless doing so diminishes patient care,** the Oregon
5 Health Authority [*may*] **shall** approve the transfer of 500 or more members
6 from one coordinated care organization **or dental care organization** to an-
7 other coordinated care organization **or dental care organization** if **the**
8 **transfer meets all of the following conditions:**

9 “(a) The members’ provider has contracted with the receiving organiza-
10 tion and has stopped accepting patients from or has terminated providing
11 services to members of the transferring organization[; *and*].

12 “(b) Members are offered the choice of remaining members of the trans-
13 ferring organization. **The members’ provider may communicate directly**
14 **or indirectly with members to inform the members about the**
15 **members’ options for continuing under the care of the provider.**

16 **(c) The transfer of members from one dental care organization to**
17 **another dental care organization does not entail a transfer of the**
18 **members from one coordinated care organization to another coordi-**
19 **nated care organization.**

20 “(2) Members may not be transferred under this section until the author-
21 ity has evaluated the receiving organization and determined that the organ-

1 ization meets criteria established by the authority by rule, including but not
2 limited to criteria that ensure that the organization meets the requirements
3 of ORS 414.609 (1).

4 “(3) The authority shall provide notice of a transfer under this section to
5 members that will be affected by the transfer at least 90 days before the
6 scheduled date of the transfer.

7 “(4)(a) The authority may not approve the transfer of members under this
8 section if:

9 “(A) The transfer results from the termination of a provider’s contract
10 with a coordinated care organization for just cause; and

11 “(B) The coordinated care organization has notified the authority that the
12 provider’s contract was terminated for just cause.

13 “(b) A provider is entitled to a contested case hearing in accordance with
14 ORS chapter 183, on an expedited basis, to dispute the denial of a transfer
15 of members under this subsection.

16 “(c) As used in this subsection, ‘just cause’ means that the contract was
17 terminated for reasons related to quality of care, competency, fraud or other
18 similar reasons prescribed by the authority by rule.

19 “(5) The provider and the organization shall be the parties to any con-
20 tested case proceeding to determine whether the provider’s contract was
21 terminated for just cause. The authority may award attorney fees and costs
22 to the party prevailing in the proceeding, applying the factors in ORS
23 20.075.”.

24 In line 44, delete “10” and insert “11”.

25 On page 12, delete lines 28 through 42 and insert:

26 **“SECTION 12. (1) Sections 1, 5, 7, 8 and 9 of this 2025 Act and the**
27 **amendments to ORS 58.375, 58.376, 414.611 and 646.607 by sections 2, 3,**
28 **10 and 11 of this 2025 Act apply to contracts that a person enters into**
29 **or renews on or after the effective date of this 2025 Act.**

30 **“(2) Section 1 of this 2025 Act first applies on January 1, 2026, to**

1 management services organizations and professional medical entities
2 that are incorporated or organized in this state on or after the effec-
3 tive date of this 2025 Act and to sales or transfers of ownership or
4 membership interests in such management services organizations or
5 professional medical entities that occur on or after the effective date
6 of this 2025 Act.

7 “(3) Section 1 of this 2025 Act first applies on January 1, 2029, to
8 management services organizations and professional medical entities
9 that existed before the effective date of this 2025 Act and to sales or
10 transfers of ownership or membership interests in such management
11 services organizations or professional medical entities that occur on
12 or after January 1, 2029.

13 “SECTION 13. This 2025 Act being necessary for the immediate
14 preservation of the public peace, health and safety, an emergency is
15 declared to exist, and this 2025 Act takes effect on its passage.”.

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