



March 26, 2025

The Honorable Rob Nosse
Chair, House Committee on Behavioral Health and Health Care
Oregon State Legislature
900 Court St. NE
Salem, Oregon 97301

RE: ATA ACTION OPPOSITION TO HB 3225

Dear Chair Nosse and members of the Committee on Behavioral Health and Health Care,

On behalf of ATA Action, I am writing to express our concerns regarding House Bill 3225 and to encourage you not to advance this legislation. House Bill 3225 would likely cause countless telehealth companies that operate across state lines to cease providing care to Oregon patients. This includes members of the ATA and ATA Action specializing in niche practice areas like substance use treatment, gender affirming care and reproductive health services or are focused on specific patient populations, including the underinsured or Medicaid beneficiaries.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth coverage and fair payment policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

If enacted, HB 3225 would cause irreparable damage to the ability of Oregon patients to access care via telehealth. It would upend existing care that Oregon patients currently receive from out of state telehealth providers, disrupting continuity of care and patient-provider relationships which may have existed for years. Specifically, ATA Action has serious concerns with the provisions of the legislation which require the majority of each class of shares entitled to vote and the majority of the directors of a professional corporation organized for the purpose of practicing medicine to maintain an Oregon domicile, reside in Oregon at least 275 days a year and be “actively involved in providing or managing patient care.”¹

First, by requiring shareholders to be present in Oregon, this legislation is wholly incompatible with the realities of national telehealth care as providers often serve patients in many states, including telehealth entities in important fields such as behavioral health, gender-affirming care

¹ House Bill 3225, lines 19-25.



and reproductive healthcare. This provision also undercuts ORS 677.139 which permits out-of-state physicians to provide telehealth services to Oregon patients by obtaining Oregon licensure. These residency requirements would also be a unique requirement for providers practicing in Oregon and place previously unseen limitations on the actions of physicians licensed in Oregon.

Additionally, there is a significant lack of clarity on what constitutes being "actively involved in providing or managing patient care." Such ambiguous language is highly problematic. More clarity is necessary on the requirements for majority or director level ownership of a professional medical corporation and what subsequent ownership requirements this would implement for telehealth providers operating across state lines.

In conclusion, we encourage you not to move HB 3225 forward. Implementation of this legislation could cause countless telehealth companies that operate across state lines to cease providing care to Oregon patients. This includes providers specializing in niche practice areas like substance use treatment, gender affirming care and reproductive health services or are focused on specific patient populations, including the underinsured or Medicaid beneficiaries.

Thank you for the opportunity to comment. If you have any questions or would like to engage in additional discussion regarding the telemedicine industry's perspective, please contact me at kzebley@ataaction.org.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", is written over a light grey circular watermark.

Kyle Zebley
Executive Director
ATA Action