

Enrolled House Bill 4127

Sponsored by Representatives BOWMAN, ANDERSEN, Senator PATTERSON, Representatives CHAICHI, CHOTZEN, DOBSON, NOSSE, RIEKE SMITH, Senators CAMPOS, FREDERICK, PROZANSKI; Representatives FRAGALA, GAMBA, GOMBERG, GRAYBER, HUDSON, JAVADI, KROPF, MARSH, MCDONALD, MCLAIN, MUNOZ, NATHANSON, NELSON, PHAM H, RUIZ, SOSA, WALTERS, WISE, Senators GELSER BLOUIN, GOLDEN, JAMA, NERON MISSLIN, PHAM K (Presession filed.)

CHAPTER

AN ACT

Relating to Medicaid payments to reproductive health care providers; and declaring an emergency.

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

SECTION 1. Section 2 of this 2026 Act is added to and made a part of ORS chapter 414.

SECTION 2. (1) As used in this section, “prohibited entity” means a nonprofit reproductive health care provider that is:

- (a) Enrolled in the state medical assistance program; and
- (b) Not eligible to receive federal Medicaid funds.

(2) The Oregon Health Authority shall adopt a payment mechanism to pay prohibited entities on a fee-for-service basis for services provided to medical assistance recipients.

(3) The authority shall have sole responsibility to pay a prohibited entity under this section, including for services provided to a member of a coordinated care organization.

(4) The authority may not pay a prohibited entity under this section using federal Medicaid funds.

(5) In adopting the payment mechanism described in subsection (2) of this section, the authority shall:

- (a) Update, as necessary, the authority’s billing and claims processing systems; and
- (b) Ensure that provider enrollment and credentialing requirements for prohibited entities align with existing standards in the state medical assistance program.

(6) At least once each biennium, the authority shall conduct a rate analysis to ensure that the rates paid to a prohibited entity under this section are adequate to promote access to reproductive health services.

SECTION 3. Section 2 of this 2026 Act applies to claims for payment in the state medical assistance program for services provided by a prohibited entity on or after July 4, 2025, if:

- (1) The claim is not eligible for federal financial participation; and
- (2) The prohibited entity has not yet received payment on the claim.

SECTION 4. (1) As used in this section:

- (a) “Coordinated care organization” has the meaning given that term in ORS 414.025.
- (b) “Prohibited entity” has the meaning given that term in section 2 of this 2026 Act.

(2) If a coordinated care organization paid a claim submitted by a prohibited entity between July 4, 2025, and the effective date of this 2026 Act, the coordinated care organization

may recover an overpayment on the claim for routine business reasons but may not recover payment on the claim solely on the basis that the prohibited entity is not eligible to receive federal Medicaid funds.

SECTION 5. Section 4 of this 2026 Act is repealed on January 2, 2028.

SECTION 6. (1) As used in this section:

(a) "Medical assistance" has the meaning given that term in ORS 414.025.

(b) "Prohibited entity" means a nonprofit reproductive health care provider that:

(A) Received more than \$800,000 in Medicaid reimbursements in 2023; and

(B) Is not eligible to receive federal Medicaid funds.

(2) The Oregon Health Authority shall implement a grant program to support prohibited entities in covering the costs of providing services to medical assistance recipients. To the extent practicable, the amount of a grant awarded under this section shall be equivalent to the funding amount that a prohibited entity would receive in the authority's fee-for-service payment system.

(3) The authority may not award grants under this section using federal Medicaid funds.

SECTION 7. (1) Section 6 of this 2026 Act becomes operative only if a state or federal law, rule, regulation or other government action is enacted, adopted or taken that prohibits a prohibited entity, as defined in section 2 of this 2026 Act, from maintaining enrollment in the state medical assistance program.

(2) If a state or federal law, rule, regulation or other government action described in subsection (1) of this section is enacted, adopted or taken, section 6 of this 2026 Act becomes operative on the effective date of that law, rule, regulation or other government action.

(3) The Oregon Health Authority shall immediately notify the Legislative Counsel if a state or federal law, rule, regulation or other government action described in subsection (1) of this section is enacted, adopted or taken.

SECTION 8. This 2026 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect on its passage.

Passed by House March 4, 2026

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate March 6, 2026

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2026

Approved:

.....M.,....., 2026

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2026

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Tobias Read, Secretary of State