

Submitter: Edgar Julian Caballero
On Behalf Of:
Committee: House Committee On Behavioral Health
Measure, Appointment or Topic: HB4028
Chair and Members of the Committee,

My name is Edgar Julian Caballero. I am a Licensed Professional Counselor and owner of Bend Mental Wellness, a small group practice in Central Oregon where I supervise four associate-level therapists working toward full licensure. I am writing in strong support of HB 4028.

The Reality of Running an Independent Behavioral Health Practice
Independent practitioners and small practitioner-owned groups like mine are the backbone of Oregon's behavioral health system. We provide the majority of outpatient mental health care, particularly in communities like Bend, where demand far outstrips supply. Every week, I turn away potential clients because we simply cannot accommodate the volume of Oregonians seeking care.

Yet the current landscape makes sustaining an independent behavioral health practice increasingly precarious. The power imbalance between insurers and providers is significant: we accept contracted rates substantially below private-pay fees, we wait weeks or months for reimbursement, and we operate under the constant threat of audits and clawbacks that can be initiated years after services were provided and paid.

Why HB 4028 Matters

The provisions in HB 4028 directly address the structural vulnerabilities that drive behavioral health providers out of insurance panels and, ultimately, out of practice. Reducing the clawback window from 36 to 12 months provides essential predictability. Under current law, insurance payments I receive today can be reclaimed three years from now. This makes sound financial planning nearly impossible for a small practice. When I pay my associates their commissions, I cannot hold those funds in reserve for three years against the possibility of a future clawback.

The audit reform provisions create reasonable timelines and basic fairness. Allowing providers 30 days to correct clerical errors rather than imposing immediate financial penalties recognizes that documentation imperfections are not fraud. A three-year repayment plan for amounts owed treats providers as partners in the healthcare system rather than adversaries to be squeezed.

The transparency requirements are equally critical. Providers cannot comply with

standards we do not know exist. Requiring insurers to identify medical management practices in real time allows us to meet their expectations rather than discovering retroactively that our clinical judgment was second-guessed.

The Connection to Patient Care

Every protection for providers in this bill is ultimately a protection for patients. When insurers create an environment where independent practice is unsustainable, providers leave panels, reduce caseloads, or close their doors entirely. The Oregonians who suffer are those who rely on insurance to access care - often the most vulnerable members of our communities.

Oregon is facing a behavioral health crisis. Demand has surged while our workforce struggles to keep pace. We cannot afford policies that make it harder for independent practitioners to stay in business. HB 4028 does not ask for special treatment - it asks for basic fairness that will allow practices like mine to remain viable and continue serving our communities.

I respectfully urge the committee to pass HB 4028. Thank you for your consideration and for your commitment to behavioral health access in Oregon.

Respectfully submitted,
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