

A-Engrossed
House Bill 3276

Ordered by the House April 19
Including House Amendments dated April 19

Sponsored by Representative NATHANSON, Senator STEINER HAYWARD, Representative GREENLICK; Representatives FAHEY, HOLVEY, SMITH WARNER

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.

Requires health benefit plan coverage of health services necessary to combat disease outbreak or epidemic.

Requires [*Oregon Health Authority*] **Public Health Director** to convene task force to make recommendations relating to improved health insurance coverage for students and use of vaccinations during public health emergencies.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to health care; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of the Insurance Code.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **“Condition of public health importance” has the meaning given that term in ORS**
7 **431A.005.**

8 (b) **“Disease outbreak” has the meaning given that term in ORS 431A.005.**

9 (c) **“Enrollee” means an individual residing in this state who:**

10 (A) **Is enrolled in a health benefit plan; and**

11 (B) **The Public Health Director determines may be affected by a disease outbreak, epi-**
12 **demic or other condition of public health importance.**

13 (d) **“Epidemic” has the meaning given that term in ORS 431A.005.**

14 (e) **“Health benefit plan” has the meaning given that term in ORS 743B.005.**

15 (f) **“Insurer” means a person with a certificate of authority to transact insurance in this**
16 **state.**

17 (2) **If the director determines that there exists a disease outbreak, epidemic or other**
18 **condition of public health importance in a geographic area of this state or statewide, an**
19 **insurer shall, for enrollees in a health benefit plan offered by the insurer, cover the cost of**
20 **necessary antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and other**
21 **pharmaceutical agents, medical supplies or other prophylactic measures approved by the**
22 **United States Food and Drug Administration that the director deems necessary to prevent**
23 **the spread of the disease, epidemic or other condition of public health importance.**

24 (3) **An insurer may not restrict coverage under subsection (2) of this section by:**

25 (a) **Requiring that the health services be administered by an in-network provider;**

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 **(b) Imposing cost-sharing requirements that are greater than the cost-sharing require-**
2 **ments for similar covered services;**

3 **(c) Requiring prior authorization or other utilization control measures; or**

4 **(d) Limiting coverage in any manner that prevents an enrollee from accessing the nec-**
5 **essary health services.**

6 **SECTION 3. (1) The Public Health Director shall convene a task force consisting of rep-**
7 **resentatives from public universities and other key stakeholders, including but not limited**
8 **to representatives of:**

9 **(a) The Department of Consumer and Business Services;**

10 **(b) Insurers;**

11 **(c) Coordinated care organizations; and**

12 **(d) Local public health authorities.**

13 **(2) The task force shall:**

14 **(a) Make recommendations for legislative changes that would improve student health**
15 **insurance coverage;**

16 **(b) Recommend changes to public health policies with respect to vaccinations in order**
17 **to better address public health emergencies in the future; and**

18 **(c) Identify opportunities to minimize the fragmentation of vaccine financing and delivery**
19 **during a public health emergency.**

20 **(3) The director shall prepare a report of the findings of the task force, along with rec-**
21 **ommendations for any legislative changes, and submit the report to the Legislative Assem-**
22 **bly, in the manner provided in ORS 192.245, no later than October 30, 2017.**

23 **SECTION 4. Section 3 of this 2017 Act is repealed on December 31, 2017.**

24 **SECTION 5. This 2017 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
26 **on its passage.**

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