

Requested by HOUSE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO
HOUSE BILL 2342**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and line 3 and insert “and declaring an emergency.”.

3 Delete lines 5 through 30 and delete pages 2 through 12 and insert:

4 **“SECTION 1. (1) Notwithstanding any other law, the Department**
5 **of Consumer and Business Services may, upon the recommendation**
6 **of the Health Insurance Exchange Advisory Committee created in ORS**
7 **741.004, adopt rules that are not in compliance with state law govern-**
8 **ing health insurance if:**

9 **“(a)(A) There is a change in federal law on or after September 1,**
10 **2017, that:**

11 **“(i) Is expected to cause premium rates previously approved by the**
12 **department to no longer meet the requirements of ORS 743.018 (4); or**

13 **“(ii) Is expected to have a substantial impact on the average out-**
14 **of-pocket costs for or premiums paid by insureds in this state; or**

15 **“(B) A decision is made by the United States Department of Health**
16 **and Human Services, the Internal Revenue Service or the United**
17 **States Department of Labor to discontinue or reduce federal payments**
18 **for cost-sharing reductions authorized by 42 U.S.C. 18071; and**

19 **“(b) The Director of the Department of Consumer and Business**
20 **Services determines that the change in law or decision by a federal**
21 **agency described in paragraph (a) of this subsection will cause an im-**

1 **minent destabilization of the insurance market and risk the life or**
2 **health of residents of this state.**

3 **“(2) The rules may be adopted as temporary rules, in accordance**
4 **with ORS 183.335 (5), but may not be readopted in whole or in part.**
5 **Rules adopted as permanent rules may not be in effect for a period**
6 **longer than six months unless ratified by an action of the Legislative**
7 **Assembly.**

8 **“(3) If the Department of Consumer and Business Services adopts**
9 **any rules pursuant to its authority under this section, the department**
10 **shall:**

11 **“(a) Immediately report to the President of the Senate, the Speaker**
12 **of the House of Representatives and the interim committees of the**
13 **Legislative Assembly related to health any action taken by the de-**
14 **partment pursuant to the rules and a full explanation of the reasons**
15 **for taking the action; and**

16 **“(b) Each calendar quarter after adopting the rules, report the im-**
17 **port of any actions taken pursuant to the rules on consumers and the**
18 **insurance market in this state to the committees or interim commit-**
19 **tees of the Legislative Assembly related to health.**

20 **“SECTION 2. Section 1 of this 2017 Act is repealed on July 1, 2019.**

21 **“SECTION 3. This 2017 Act being necessary for the immediate**
22 **preservation of the public peace, health and safety, an emergency is**
23 **declared to exist, and this 2017 Act takes effect on its passage.”.**

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