

SB 250 A STAFF MEASURE SUMMARY**Carrier:** Rep. Mitchell**House Committee On Health Care****Action Date:** 05/14/19**Action:** Do Pass the A-Eng bill.**Vote:** 10-1-0-0**Yeas:** 10 - Alonso Leon, Boles, Drazan, Greenlick, Hayden, Keny-Guyer, Mitchell, Nosse, Prusak, Salinas**Nays:** 1 - Noble**Fiscal:** Has minimal fiscal impact**Revenue:** Revenue impact issued**Prepared By:** Oliver Droppers, LPRO Analyst**Meeting Dates:** 5/14**WHAT THE MEASURE DOES:**

Prohibits discrimination in health benefit coverage based on race, color, national origin, sex, sexual orientation, gender identity, age, or disability. Allows Oregon residents to be insured under master group policies issued outside of Oregon. Allows Department of Consumer and Business Services (DCBS) to assess fees on exempt health benefit plans to mitigate inequity in the health insurance market. Requires individual health benefit plans that are not grandfathered to cover chemical dependency. Exempts individual health benefit plans paid for through a health reimbursement arrangement from provisions that apply to group health benefit plans. Requires carriers of individual health benefit plans that are not grandfathered, to issue plans without preexisting condition exclusions, waiting periods, or different terms or conditions based on health status. Permits DCBS to allow carriers to cap the number of enrollees in an individual health benefit plan if it finds that issuing the plan to more individuals would have a material adverse effect on the carrier's ability to fulfill its contractual obligations.

ISSUES DISCUSSED:

- Insurance regulation and the Affordable Care Act (ACA)
- Recent federal changes and legal challenges to the ACA
- Elimination of the ACA individual mandate
- Premiums for ACA plans in Oregon; silver and bronze plans
- Uninsured rate; Oregon Health Insurance Survey
- Efforts in other states to stabilize plan affordability and uninsured rate
- Federal cost-sharing reductions; enrollee subsidies
- Benefit coverage and anti-discrimination provisions

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Through its Division of Financial Regulation, the Department of Consumer and Business Services (DCBS) is the state's primary regulator of all types of insurance companies, including health insurance companies. In 2015, the division regulated health insurers covering approximately 1 million Oregonians in the individual, small group, large group, associations, and trusts markets. An estimated 710,000 Oregonians were covered by self-insured employers, which are regulated by the federal government under the 1974 Employee Retirement Income Security Act (ERISA).

The federal Patient Protection and Affordable Care Act (ACA), enacted in 2010, contained a multitude of provisions impacting Medicare, Medicaid, and the employer and individual insurance markets. Many of these

SB 250 A STAFF MEASURE SUMMARY

provisions went into effect in 2014 with the goal of reducing the number of uninsured Americans. Key provisions included the individual insurance "mandate," pre-existing condition protections, essential health benefit coverage requirements, and insurance premium subsidies.

Senate Bill 250-A aligns aspects of the Oregon Insurance Code with the ACA.