

HOUSE MINORITY REPORT AMENDMENTS TO A-ENGROSSED SENATE BILL 608

May 16

Speaker Simmons:

A minority of your Committee on Business, Labor, and Consumer Affairs, to whom was referred A-engrossed Senate Bill 608, having had the same under consideration, respectfully reports it back with the recommendation that it do pass with the following amendments:

On page 1 of the printed A-engrossed bill, line 3, delete "and 734.695" and insert ", 734.695, 750.055 and 750.333".

On page 7, after line 21, insert:

"SECTION 11. Section 12 of this 2001 Act is added to and made a part of ORS chapter 743.

"SECTION 12. (1) For purposes of this section, 'contraceptive' means any appliance, device, drug or medicinal preparation approved by the Food and Drug Administration and intended or having special utility for the prevention of conception.

"(2) All health insurance policies that provide a prescription drug benefit, except those policies in which coverage is limited to expenses from accidents or specific diseases that are unrelated to the coverage required by this subsection, must include coverage for:

"(a) Prescription contraceptives; and

"(b) Outpatient consultations, examinations, procedures and medical services that are necessary for the prescription or administration of the contraceptives required to be covered pursuant to this subsection.

"(3) The coverage required by this section may be made subject to provisions of the policy that apply to other benefits under the policy, including but not limited to provisions relating to deductibles and coinsurance.

"SECTION 13. ORS 750.055 is amended to read:

"750.055. (1) The following provisions of the Insurance Code shall apply to health care service contractors to the extent so applicable and not inconsistent with the express provisions of ORS 750.005 to 750.095:

"(a) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398 to 731.430, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735, 731.737, 731.740, 731.750, 731.804 and 731.844 to 731.992.

"(b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not including ORS 732.549 and 732.574 to 732.592.

"(c)(A) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.620, 733.635 to 733.680 and 733.695 to 733.780 apply to not-for-profit health care service contractors.

"(B) ORS chapter 733, not including ORS 733.630, applies to for-profit health care service contractors.

"(d) ORS chapter 734.

1 “(e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
2 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.412, 743.472,
3 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.549 to
4 743.555, 743.556, 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.693, 743.697, 743.699, 743.701,
5 743.704, 743.706 to 743.712, 743.721, 743.722, 743.726, 743.727, 743.728, 743.729, 743.804, 743.807,
6 743.808, 743.809, 743.814 to 743.839, 743.842, 743.845 and 743.847 **and section 12 of this 2001 Act.**

7 “(f) The provisions of ORS chapter 744 relating to the regulation of agents.

8 “(g) ORS 746.005 to 746.140, 746.160, 746.180, 746.220 to 746.370 and 746.600 to 746.690.

9 “(h) ORS 743.714, except in the case of group practice health maintenance organizations that
10 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
11 referred by a physician associated with a group practice health maintenance organization.

12 “(i) ORS 735.600 to 735.650.

13 “(j) ORS 743.680 to 743.689.

14 “(k) ORS 744.700 to 744.740.

15 “(L) ORS 743.730 to 743.773.

16 “(m) ORS 731.485, except in the case of a group practice health maintenance organization that
17 is federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns
18 and operates an in-house drug outlet.

19 “(2) For the purposes of this section only, health care service contractors shall be deemed
20 insurers.

21 “(3) Any for-profit health care service contractor organized under the laws of any other state
22 which is not governed by the insurance laws of such state, will be subject to all requirements of
23 ORS chapter 732.

24 “(4) The Director of the Department of Consumer and Business Services may, after notice and
25 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
26 and 750.045 that are deemed necessary for the proper administration of these provisions.

27 “**SECTION 14.** ORS 750.333 is amended to read:

28 “750.333. (1) The following provisions of the Insurance Code apply to trusts carrying out a
29 multiple employer welfare arrangement:

30 “(a) ORS 731.004 to 731.150, 731.162, 731.216 to 731.268, 731.296 to 731.316, 731.324, 731.328,
31 731.378, 731.386, 731.390, 731.398, 731.406, 731.410, 731.414, 731.418 to 731.434, 731.454, 731.484,
32 731.486, 731.488, 731.512, 731.574 to 731.620, 731.640 to 731.652, 731.804 to 731.992.

33 “(b) ORS 733.010 to 733.050, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695 to 733.780.

34 “(c) ORS chapter 734.

35 “(d) ORS 742.001 to 742.009, 742.013, 742.061 and 742.400.

36 “(e) ORS 743.028, 743.053, 743.524, 743.526, 743.527, 743.528, 743.529, 743.530, 743.560, 743.562,
37 743.600, 743.601, 743.602, 743.610, 743.693, 743.699, 743.727, 743.728, 743.730 to 743.773 (except 743.760
38 to 743.773), 743.801, 743.804, 743.807, 743.808, 743.809, 743.814 to 743.839, 743.842, 743.845 and 743.847.

39 “(f) ORS 743.556, 743.701, 743.703, 743.704, 743.706, 743.707, 743.709, 743.710, 743.712, 743.713,
40 743.714, 743.717, 743.718, 743.719, 743.721, 743.722, 743.725 and 743.726 **and section 12 of this 2001**
41 **Act.** Multiple employer welfare arrangements to which ORS 743.730 to 743.773 apply are subject to
42 the sections referred to in this paragraph only as provided in ORS 743.730 to 743.773.

43 “(g) Provisions of ORS chapter 744 relating to the regulation of agents and insurance consult-
44 ants, and ORS 744.700 to 744.740.

45 “(h) ORS 746.005 to 746.140, 746.160, 746.180 and 746.220 to 746.370.

1 “(i) ORS 731.592 and 731.594.
2 “(2) For the purposes of this section:
3 “(a) A trust carrying out a multiple employer welfare arrangement shall be considered an
4 insurer.
5 “(b) References to certificates of authority shall be considered references to certificates of
6 multiple employer welfare arrangement.
7 “(c) Contributions shall be considered premiums.
8 “(3) The provision of health benefits under ORS 750.301 to 750.341 shall be considered to be the
9 transaction of health insurance.
10 “**SECTION 15. Section 12 of this 2001 Act and the amendments to ORS 750.055 and 750.333**
11 **by sections 13 and 14 of this 2001 Act apply to health insurance policies issued or renewed**
12 **on or after the effective date of this 2001 Act.”.**
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14 /s/ Diane Rosenbaum
 Representative
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16 /s/ Vicki Walker
 Representative
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