

## CHAPTER 54

AN ACT

SB 1503

Relating to reimbursement paid to health practitioners; creating new provisions; amending ORS 743A.036 and section 2, chapter 430, Oregon Laws 2013; and repealing section 5, chapter 430, Oregon Laws 2013.

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

**SECTION 1.** ORS 743A.036, as amended by section 4, chapter 430, Oregon Laws 2013, is amended to read:

743A.036. *[(1) Whenever any policy of health insurance provides for reimbursement for any service that is within the lawful scope of practice of a duly licensed and certified nurse practitioner, including prescribing or dispensing drugs, the insured under the policy is entitled to reimbursement for such service whether it is performed by a physician licensed by the Oregon Medical Board or by a duly licensed nurse practitioner.]*

*[(2) This section does not apply to group practice health maintenance organizations that are federally qualified pursuant to Title XIII of the Health Maintenance Organization Act.]*

**(1) Whenever any policy of health insurance provides for reimbursement for a primary care or mental health service provided by a licensed physician, the insured under the policy is entitled to reimbursement for such service if provided by a licensed physician assistant or a certified nurse practitioner if the service is within the lawful scope of practice of the physician assistant or nurse practitioner.**

**(2)(a) The reimbursement of a service described in subsection (1) of this section that is provided by a licensed physician assistant or a certified nurse practitioner who is in an independent practice shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served.**

**(b) As used in this subsection, "independent practice" means the licensed physician assistant or the certified nurse practitioner bills insurers for services provided by the physician assistant or nurse practitioner using the:**

**(A) Diagnosis and procedure codes applicable to the services;**

**(B) Physician assistant's or nurse practitioner's own name; and**

**(C) National provider identifier for:**

**(i) The physician assistant or nurse practitioner; and**

**(ii) If required by the insurer, the facility in which the physician assistant or nurse practitioner provides the services.**

**(3) This section does not apply to group practice health maintenance organizations that are federally qualified pursuant to Title XIII of the Health Maintenance Organization Act or other insurers that employ physicians, licensed physician assistants or certified nurse practitioners to provide primary care or mental health services and do not compensate such practitioners on a fee-for-service basis.**

**(4) An insurer may not reduce the reimbursement paid to a licensed physician in order to comply with this section.**

**SECTION 2.** Section 2, chapter 430, Oregon Laws 2013, is amended to read:

**Sec. 2.** The amendments to ORS 743A.036 by section 1, *[of this 2013 Act]* **chapter 430, Oregon Laws 2013, and by section 1 of this 2016 Act** apply:

**(1) To services provided under contracts entered into or renewed on or after January 1, 2014, *[and before January 1, 2018,]* by in-network, as defined in ORS *[743.871]* **743B.280**, physician assistants or nurse practitioners.**

**(2) To services provided on or after January 1, 2014, *[and before January 1, 2018,]* by out-of-network, as defined in ORS *[743.871]* **743B.280**, physician assistants or nurse practitioners.**

**SECTION 3.** The Oregon Health Policy Board and the Department of Consumer and Business Services shall collect data from insurers about the implementation of ORS 743A.036 beginning on January 1, 2014, and report to the Legislative Assembly, in the manner provided in ORS 192.245, no later than January 31, 2017:

**(1) The number of insurers that changed reimbursement amounts in response to the law;**

**(2) The number of physician assistants and nurse practitioners whose reimbursement rates were increased as a result of the law;**

**(3) The number of physician assistants and nurse practitioners who were in independent practice but denied reimbursement by an insurer's requirement that they bill using a clinic identifier; and**

**(4) The costs incurred by each insurer to implement the amendments to ORS 743A.036 by section 4, chapter 430, Oregon Laws 2013.**

**SECTION 4.** (1) Section 5, chapter 430, Oregon Laws 2013, is repealed.

**(2) Section 3 of this 2016 Act is repealed on February 1, 2017.**

Approved by the Governor March 15, 2016

Filed in the office of Secretary of State March 15, 2016

Effective date January 1, 2017