

**A-Engrossed**  
**House Bill 3427**

Ordered by the House April 27  
Including House Amendments dated April 27

Sponsored by Representatives GALLEGOS, LIVELY; Representative GORSEK

**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.

*[Prohibits insurers from reducing reimbursement paid to health care providers by more than five percent for more than two consecutive years, and prohibits further reductions without approval of Department of Consumer and Business Services.]*

*[Specifies amount of reimbursement that must be paid to clinical social workers, psychologists, professional counselors and marriage and family therapists as percentage of reimbursement paid to psychiatrists.]*

**Creates Task Force on Mental Health Care Reimbursement to study and make recommendations for payment structure to reimburse specified mental health practitioners.**  
**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to insurance reimbursement for health services; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section, "insurer" means a person with a certificate of**  
5 **authority to transact insurance in this state that offers a health benefit plan, as defined in**  
6 **ORS 743.730, excluding a prepaid group practice health plan that contracts with a single**  
7 **group of health care providers, predominantly on a prepaid, capitated basis, to provide pri-**  
8 **mary care and specialty care to individuals who are enrolled in the plan.**

9 **(2) There is created the Task Force on Mental Health Care Reimbursement consisting**  
10 **of 16 members as follows:**

11 **(a) Two members appointed by the President of the Senate from among the members of**  
12 **the Senate, including one member from the Democratic party and one member from the**  
13 **Republican party.**

14 **(b) Two members appointed by the Speaker of the House of Representatives from among**  
15 **the members of the House of Representatives, including one member from the Democratic**  
16 **party and one member from of the Republican party.**

17 **(c) Twelve members appointed by the Governor as follows:**

18 **(A) Two representatives of professional associations for licensed clinical social workers;**

19 **(B) Two representatives of insurers;**

20 **(C) A representative of a coordinated care organization;**

21 **(D) Two representatives of professional associations for professional counselors and li-**  
22 **censed marriage and family therapists;**

23 **(E) Two representatives of professional associations for psychologists;**

24 **(F) A representative of hospitals;**

**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 (G) A representative of a professional association for psychiatrists; and

2 (H) A representative of a professional association for physicians.

3 (3) The task force shall study and make recommendations for a payment structure for  
4 the reimbursement by insurers of licensed clinical social workers, licensed professional  
5 counselors and licensed marriage and family therapists, family physicians, psychiatrists and  
6 psychologists. The payment structure must promote the maintenance and expansion of the  
7 mental health care workforce in this state, ensure that all mental health practitioners are  
8 compensated fairly and that Oregonians have access to mental health practitioners in the  
9 context of state and federal requirements for mental health parity.

10 (4) A majority of the voting members of the task force constitutes a quorum for the  
11 transaction of business.

12 (5) Official action by the task force requires the approval of a majority of the voting  
13 members of the task force.

14 (6) The Governor shall select one member of the task force to serve as chairperson and  
15 another to serve as vice chairperson, for the terms and with the duties and powers necessary  
16 for the performance of the functions of such offices as the Governor determines.

17 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
18 ment to become immediately effective.

19 (8) Members of the Legislative Assembly appointed to the task force are nonvoting  
20 members of the task force and may act in an advisory capacity only.

21 (9) The task force shall meet at times and places specified by the call of the chairperson  
22 or of a majority of the voting members of the task force.

23 (10) The task force may adopt rules necessary for the operation of the task force.

24 (11) The task force shall report its findings and recommendations to the 2016 and 2017  
25 regular sessions of the Legislative Assembly.

26 (12) The staff of the Committee Services Office of the Legislative Administration Com-  
27 mittee shall provide administrative and technical support to the task force.

28 (13) Members of the task force who are not members of the Legislative Assembly or  
29 public officials are not entitled to compensation, but may be reimbursed for actual and nec-  
30 essary travel and other expenses incurred by them in the performance of their official duties  
31 in the manner and amounts provided for in ORS 292.495. Claims for expenses incurred in  
32 performing functions of the task force shall be paid out of funds appropriated to the Legis-  
33 lative Administration Committee for purposes of the task force.

34 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist  
35 the task force in the performance of its duties and, to the extent permitted by laws relating  
36 to confidentiality, to furnish such information and advice as the members of the task force  
37 consider necessary to perform their duties.

38 **SECTION 2.** This 2015 Act being necessary for the immediate preservation of the public  
39 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
40 on its passage.