

B-Engrossed
Senate Bill 1040

Ordered by the House June 8
Including Senate Amendments dated May 13 and House Amendments
dated June 8

Sponsored by COMMITTEE ON RULES (at the request of Governor Theodore R. Kulongoski)

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.

Requires insurers offering health insurance to report annually to Director of Department of Consumer and Business Services payment information relating to diagnostic related groups and procedures. Directs director to make information reported available to Office for Oregon Health Policy and Research. Directs office to aggregate information received. Authorizes office to conduct research, analyses and studies of information. Establishes procedures and prohibitions relating to public disclosure of information **and reports**.

Declares emergency, effective July 1, 2005.

A BILL FOR AN ACT

1
2 Relating to health care information; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of the Insurance Code.**

5 **SECTION 2. (1) On or before April 1 of each year, an insurer that offers health insurance**
6 **in this state shall report to the Director of the Department of Consumer and Business Ser-**
7 **vices payment information for the preceding year relating to the diagnostic related groups**
8 **and procedures described in subsection (2) of this section.**

9 **(2) The director, in consultation with the Health Insurance Reform Advisory Committee,**
10 **shall adopt rules identifying the information to be contained in the report required by sub-**
11 **section (1) of this section, including but not limited to the specific diagnostic related groups**
12 **and procedures and the paid claims data for each diagnostic related group and procedure.**

13 **(3)(a) Except as provided in paragraph (b) of this subsection, the director may not dis-**
14 **close any information that is identifiable to an individual patient or to an individual physician**
15 **or podiatric physician and surgeon as those terms are defined in ORS 677.010.**

16 **(b) The director shall make the information reported under subsection (1) of this section**
17 **available to the Office for Oregon Health Policy and Research.**

18 **(4) ORS 192.410 to 192.505 do not apply to a report submitted under subsection (1) of this**
19 **section.**

20 **SECTION 3. (1) The Office for Oregon Health Policy and Research shall:**

21 **(a) Aggregate the information received under section 2 of this 2005 Act before publicly**
22 **disclosing any research, analyses or studies based on the information.**

23 **(b) Publicly disclose reports on any research, analyses or studies conducted based on the**
24 **information received under section 2 of this 2005 Act.**

25 **(c) Determine the method and format for public disclosure of the information received**

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 **under section 2 of this 2005 Act.**

2 **(2) The office may:**

3 **(a) Conduct research, analyses and studies of the information reported under section 2**
4 **of this 2005 Act;**

5 **(b) Identify specific health care facilities in publicly disclosed reports;**

6 **(c) Not disclose any information that is identifiable to an individual patient or to an in-**
7 **dividual physician or podiatric physician and surgeon as those terms are defined in ORS**
8 **677.010; and**

9 **(d) Not disclose any information that identifies individually negotiated contract rates or**
10 **fees between hospitals or other health care providers and insurers.**

11 **(3) The office shall make the information provided to the office under section 2 of this**
12 **2005 Act available to the public through a public website on the Internet in a manner that**
13 **allows for a comparison of information for specific health care facilities and specific diag-**
14 **nostic related groups and procedures.**

15 **(4) ORS 192.410 to 192.505 do not apply to the information received by the office under**
16 **section 2 of this 2005 Act.**

17 **SECTION 4. This 2005 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
19 **July 1, 2005.**

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