

# NOTICE OF PROPOSED RULEMAKING STATEMENT OF NEED AND FISCAL IMPACT

Filing caption: Amendment to 2027 standard bronze and silver health benefit plans

**Public comment deadline: 6/2/2026**

**Effective Date: 7/1/2026**

## HEARING:

**Date:** 5/26/2026

**Time:** 1:30 PM

**Officer:** Ethan Baldwin

**Location:** Labor & Industries Building  
350 Winter St. NE  
Basement, Conf Rm F  
Salem, OR 97301

This is a hybrid meeting conducted in-person and virtually via Microsoft Teams:

[Join the meeting now](#)

Meeting ID: 287 300 929 656

Passcode: p6Uz3fD2

or

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Phone conference ID: 772 886 384#

## NEED FOR RULE(S):

*Provide background on why the rule is needed, including a short summary of the rulemaking authority and statutes implemented. Provide a summary of what the rule does. Describe the involvement of the RAC, including the types of stakeholders that were invited to and did participate. Specify if any of the stakeholders were small businesses.*

ORS 743B.130 requires the Department of Consumer and Business Services (DCBS) to prescribe by rule the form, level of coverage, and benefit design for bronze and silver health benefit plans that must be offered by insurance carriers. These plans must meet federal requirements issued by the Department of Health and Human Services (HHS). Each year, HHS updates the actuarial value (AV) calculator used for determining coverage levels. Changes may include costs, plan designs, populations, developments in the function and operation of the AV calculator and other actuarially relevant factors. DCBS provides exhibits to the standard bronze and silver plans, in rule, that prescribe the benefits the plans must provide.

The changes made by HHS this year require DCBS to reduce certain benefits on the standard bronze and silver plans, to bring the plans into AV compliance.

#### **DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

Draft rules are available from Karen Winkel, Rules Coordinator, Division of Financial Regulation located at 350 Winter St. NE, Salem, OR 97301 and are available on the division's website:

<https://dfr.oregon.gov/laws-rules/Pages/proposed-rules.aspx>.

The 2027 AV Calculator Methodology is available at:

<https://www.cms.gov/files/document/final-2027-av-calculator-methodology.pdf>

#### **STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT EQUITY IN THIS STATE:**

*(Who is this going to impact and how might it impact one group of people differently than others?)*

The proposed changes to the rules will impact Oregon insurance companies and consumers who buy health benefit plans in this state. It is unlikely to impact one group of people differently than others because consumers have the choice to purchase different health benefit plans. Further, existing state and federal regulations prohibit discrimination in the sale and utilization of health benefits plans.

#### **FISCAL AND ECONOMIC IMPACT:**

*Based on information available to DCBS, briefly discuss the cost of compliance for businesses, generally. State whether there are compliance costs for small businesses (independently owned and operated with fewer than 50 employees).*

This amended rule updates the Oregon standard bronze and silver plans for plan years beginning on and after January 1, 2027. The amended rule does not contain new requirements. There will likely be a fiscal impact to consumers who purchased the standard bronze or silver plan in 2026 and purchase the same plan again 2027 as the newly selected plans will have a decrease in certain benefits. However, there is no data available to demonstrate what that impact would be.

The fiscal impacts to insurers could have a small increase in administrative costs resulting from insurers needing to update plan language. Because insurers are already required to adjust plan

language to conform to current requirements, the fiscal impact is not solely resulting from adoption of these rules. Inclusion of clearer language providing clear guidance to insurers may help offset any increased administrative costs.

The plans selected are an updated version of the current standard bronze and silver plans.

### **COST OF COMPLIANCE FOR SMALL BUSINESSES:**

#### **(1) Identify any state agencies, units of local government, and members of the public (including specific interest groups) likely to be economically affected by the rulemaking.**

Based on information currently available to DCBS, the proposed rule would not have a fiscal or economic impact on state agencies, local government units, nor the public.

The proposed rules apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The insurers would already be required to adjust plan language to conform to current requirements, so this cost is not solely resulting from adoption of these rules. Inclusion of clearer language providing guidance to insurers may help offset any increased administrative cost.

Also, because members of the public may or may not choose a standard bronze or silver plan, we are unable to quantify any potential fiscal impact on individual members of the public may experience in price differentials between plans.

Based on the information currently available to DCBS, the proposed rule does not have an economic impact on the general public beyond the underlying statutory requirements.

#### **(2)(a) Estimate the number and type of small businesses subject to the rule(s).**

Based on financial filings made to DFR, no health insurers meet the definition of a small business under ORS 183.310, because no health insurer is independently owned and operated.

#### **(2)(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s).**

The expected costs are minimal for the proposed rules as they apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The insurers would already be required to adjust plan language to conform to current requirements, so this cost is not solely resulting from adoption of these rules. Inclusion of clearer language providing guidance to insurers may help offset any increased administrative cost.

**(2)(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).**

The expected costs are minimal for the proposed rules as they apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The insurers would already be required to adjust plan language to conform to current requirements, so this cost is not solely resulting from adoption of these rules. Inclusion of clearer language providing guidance to insurers may help offset any increased administrative cost.

**How were small businesses involved in the development of the rule?**

Members of organizations representing small businesses were invited but declined to participate in the rulemaking advisory committee.

**Was an administrative rule advisory committee consulted? Yes.**

Representatives from health insurance carriers were participants in this RAC. Small business representation was invited to this RAC but declined to participate. Representatives from advocacy groups were invited and some participated. A representative from health insurance marketplace was included in the committee.

The rulemaking advisory committee had a hybrid meeting on March 31, 2026 at 10:30 A.M.

**Did membership of the RAC represent the interests of persons and communities likely to be affected by the rule? Yes.**

*Specify the interested communities (BIPOC, professions, occupations, geographic location, recreational interests, aging/older adults, individuals w/disabilities, LGBTQ+, religion, veterans.*

Yes, the RAC represented the interest of those most likely affected by this rule –health insurers, insurance producers (small businesses) and consumers. The proposed rule is not expected to impact any particular community in Oregon, except to the extent that members of many communities act as purchasers of insurance. As part of the rulemaking process, we invited feedback from advocates representing LGBTQIA+, BIPOC, and low income communities.

**RULE NUMBER AND SUMMARY:**

*List each rule number and a short summary of what the rule does.*

**AMEND:** 836-053-0013

RULE SUMMARY: Update Standard Silver Plans

**STATUTORY REFERENCE:**

STATUTORY/OTHER AUTHORITY: ORS 731.244, 45 CFR 156.135(g)

STATUTES/OTHER IMPLEMENTED: ORS 743B.130

Andrew R. Stolfi, Insurance Commissioner

Signature

Printed name

Date

**LEGISLATOR NOTICE:**

*If the rulemaking results from legislation passed within two years of this notice of proposed rulemaking, the agency must give notice to: 1) the legislator(s) who introduced the bill; and 2) the chair or co-chairs of all committees that reported the bill out. (Does not include referrals to other committees).*

*If the rule does not result from legislation within the last two years, notice shall be given to the chair or cochair of any interim or session committee with authority over the subject matter of the rule. If notice cannot be given to these individuals, notice shall be given to the Speaker of the House and the President of the Senate.*

Name	Committee or Title	Email
Sen. Deb Patterson	Chair, Senate Committee on Health Care	Sen.DebPatterson@oregonlegislature.gov
Rep. Rob Nosse	Chair, House Committee on Behavioral Health and Health Care	Rep.RobNosse@oregonlegislature.gov

**RULEMAKING ADVISORY COMMITTEE:**

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