

TO:

Lisa Emerson, Department of Consumer and Business Services
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Karen Winkel, Department of Consumer and Business Services
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RE: HB 3243 (2025) Rules Advisory Committee

Dear Ms. Emerson and Ms. Winkel,

First, the Lebanon Fire District (LFD) would like to thank you for the thoughtful suggestions made during the Rules Advisory Committee (RAC) meetings. We appreciate that many of those suggestions were incorporated into the draft rules.

The LFD greatly appreciates DCBS's work on this critical consumer protection issue, which has deep and long-lasting impacts on the people we serve in our ambulance service area.

Our remaining primary concerns center around:

1. **Identification of which plans are participating in the protections (or not)**
 2. **Enforcement on insurers to ensure they pay the locally established rate**
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1. Identification of Participating Plans

EMS agencies need a reliable method of identifying ERISA plans and PEBB/OEBB plans—and knowing which of those have opted in to the protections of HB 3243 (2025). This is crucial to avoid mistakenly balance billing patients. It's also helpful for patients who want to understand what their insurance plans cover.

We suggest that plans be required to report their participation status to DCBS, and that DCBS publish a public list of participating plans. This would be similar to the process in Washington State, where the Office of the Insurance Commissioner provides a publicly accessible list:

Washington OIC Participating Plans List

2. Enforcement of Locally Established Rate

Agencies who operate in both Oregon and Washington report that, in Washington, some insurers are only reimbursing at the backup Medicare rate—even when the locally established rate is included in the state database.

To address this issue, the Lebanon Fire District recommends adding strong enforcement language to the draft rules. We also suggest that the rule—or a supporting FAQ document—include guidance for EMS agencies on what resources are available if insurers fail to pay appropriately.

Additional Considerations

- **Clarification on Contractual Relationships:**

The LFD would appreciate a clear statement in the rules affirming that HB 3243 does not prohibit contracts between EMS agencies and insurers. While in-network contracts are relatively uncommon in our industry, we believe it was the Legislature’s intent to preserve the option for such agreements.

This is supported by the reporting requirement in HB 3243, which states that reports must include information about contracts entered into between EMS providers and insurers on or after January 2026 (Section 3, HB 3243).

- **Timeline for Repayment of Excess Payments:**

The LFD has previously expressed concern that a 30-day repayment timeline for excess payments may be administratively difficult or unfeasible. While we originally proposed a 90-day timeframe, we would be amenable to a compromise of 60 days.

The Lebanon Fire District sincerely appreciates DCBS’s ongoing work to implement HB 3243 (2025). Thank you for your consideration of the above comments.



Sincerely,
Division Chief John Tacy
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