



TO: Cassandra Soucy and HB 3046 Members

FROM: Rachael Wiggins Emory, COPACT Lobbyist

DATE: September 28, 2021

SUBJECT: Comments on HB 3046 Reporting Requirements Discussion Draft Rules

Thank you for the opportunity to participate in the Rules Advisory Committee (RAC) for HB 3046 and to provide comments on the most recent draft rules and the discussions that occurred during Meeting #3. COPACT is largely in support of the draft administrative rules as written but wanted to provide comments on the following sections:

Section 3(b)(v) Providing descriptions and documentation on policies, procedures, and other efforts to maintain compliance – Network Adequacy

COPACT supports the inclusion of a network adequacy assessment in the reporting requirements for carriers and looks forward to participating in the department's rule making for the network adequacy requirements. Without clear rules and definitions for the requirement that carriers have an adequate number and diversity of providers in-network and geographically accessible to their members, COPACT believes the reporting requirements for carriers included in the current discussion draft won't accurately reflect whether their networks have an adequate number and diversity of providers to treat the needs of their members, regardless of where they are located in the state.

Section 3(b)(iii) Median Maximum Allowable Reimbursement Rate (MMARR) and the use of in-network contracted rates.

COPACT agrees with the points made by the Oregon Independent Mental Health Professionals (OIMHP) regarding the inclusion of in-network contract rates along with, or instead of, incurred claims data in the reporting of the MMARR. We encourage the department to continue to include both in its administrative rules. Behavioral Health Providers choose to join networks based on the contracted rates offered by carriers, not on incurred claims data, which can directly impact the ability for carriers to build out adequate networks and meet the parity requirements established in the bill.

Thank you for the opportunity to submit COPACT's comments.

Sincerely,

Rachael Wiggins Emory
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Thorn Run Partners