



October 28, 2025

Oregon Division of Financial Regulation
Department of Consumer and Business Services
350 Winter St. NE
Salem, OR 97301
Attn: Brooke Hall

Subject: Moda Health Comments on Network Adequacy Requirements, Senate Bill 822

Moda Health Plan, Inc. (Moda) appreciates the opportunity to provide comments to the Department of Consumer and Business Services' (DCBS) Division of Financial Regulation (DFR) efforts to adopt rules to implement Senate Bill 822 (2025), Network Adequacy Requirements. In this letter, Moda is providing feedback and suggestions regarding the rules that were proposed on October 10, 2025 and the associated Crosswalk document.

1. Quantitative Network Adequacy Access Standards

- Travel Distance & Time
 - Moda supports alignment with the federal time and distance standards as outlined in the proposed rule. The federal requirements allow for a more nuanced approach to time and distance standards, contain familiar requirements and standards for commercial health insurance issuers, require a robust network to be available to members, and apply directly to the commercial line of business this rulemaking is meant to address as opposed to incorporating standards from a completely different line of business (i.e. Medicaid).
- Appointment Wait Times
 - Moda continues to have concerns regarding a requirement that health insurance issuers bear the compliance responsibility for appointment wait times. Health insurance issuers generally do not own or manage the offices, clinics, or facilities of the providers in their network. Therefore, issuers have no control over patient scheduling, patient volumes, provider staffing, or how efficiently a given office, clinic, or facility is managed. The responsibility to maximize efficiency and limit the amount of time a patient must wait for an appointment should be placed upon providers and not health insurance issuers.
 - Moda has concerns regarding the reproductive health care provider appointment wait times listed in the Crosswalk document provided with the proposed rules (e.g. 10 business days). It is important to note that the proposed rules do not isolate the appointment wait times for

Health plans provided by Moda Health Plan, Inc.

reproductive health care from primary care, specialty care, or behavioral health care. This approach makes sense given that reproductive health care could come in the form of primary care, specialty care or behavioral health care. Moda recommends using the verbiage in the proposed rule and correcting the Crosswalk document allowing for appointment wait time standards for reproductive health services to align with the service type (primary care, specialty care, behavioral health care).

Thank you for the opportunity to provide comments during this rulemaking process.

Sincerely

A handwritten signature in black ink that reads "Scott White". The script is cursive and fluid.

Scott White
Director, Regulatory Affairs

