



OREGON
ASSOCIATION OF
ORTHOPAEDIC SURGEONS

TO: **Karen Winkel**
Rules Coordinator
The Department of Consumer and Business Services

FROM: **Kathy Brown**
Oregon Association of Orthopaedic Surgeons

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RE: Proposed Rules on Chapter 836, Out of Network Reimbursement

The Oregon Association of Orthopaedic Surgeons (OAOS), and specifically, Kathy Brown, has participated in several workgroups focused on balance billing and out of network reimbursement over the last several years. The Association greatly appreciates the opportunity to provide input throughout this process. Additionally, our members are appreciative of the efforts made by the Department (DCBS) to find a solution that protects patients, as well as a fair contracting process between providers and insurers.

The OAOS' remaining comments are largely focused on the issue of adjusting the reimbursement rate for inflation based on the Consumer Price Index-Urban rates. While the OAOS understands the limitations that DCBS is facing in terms of data availability, we are very concerned with the proposed solution of allowing the inflation to lag. The OAOS believes that this solution puts providers at an unfair disadvantage.

Instead, the OAOS respectfully suggests adjusting the formula for inflation to account for the lack of data for the most recent year by averaging the data from the other years available, and using the calculated average amount as the data for the missing year. Such a solution would be much more fair for providers, and maintains transparency.

Again, the OAOS appreciates both the opportunity to participate in this workgroup, as well as the opportunity to submit these comments for consideration. We look forward to continuing to work in partnership with the Department in 2020 when the reimbursement schedule is scheduled for legislative review.