



Hearing Officer's Report to Agency on Rulemaking Hearing

Date: 10/30/2025
To: Department of Consumer and Business Services
From: Ethan Baldwin, Hearing Officer
Subject: Amendment to Prosthetic and Orthotic rule

Hearing Date/Time: October 22, 2025
Hearing Location: Hybrid meeting conducted in-person at Labor and Industries Building and virtually on Microsoft Teams.
Comment Period End: October 29, 2025

Background

ORS 743A.145 requires the Department of Consumer and Business Services (DCBS) to adopt and annually update rules listing the prosthetic and orthotic devices that must be covered under the bill. The list of devices must be no more restrictive than the list of devices used in the Medicare fee schedule.

Additionally, SB 699 expanded this rulemaking to include devices that are determined to be medically necessary for purposes of performing physical activities, including but not limited to running, biking, swimming and strength training, and that maximizes the insured's whole-body health, including lower and upper limb function.

Hearing

A public hearing to receive testimony was held on October 22, 2025 at 10 a.m. Notice for the hearing was published in the Oregon Bulletin on October 1, 2025. Public testimony was accepted until 5:00 p.m. on October 29, 2025. Representing DCBS at the public hearing were Ethan Baldwin, Jill Schlosser and Karen Winkel. Eight members of the public attended the hearing in person or remotely, and none provided verbal testimony. No public comments were received in writing after the Notice of Proposed Rulemaking was published and before the comment deadline.

Summary of Testimony

Neither verbal nor written testimony was received.

Public Comment Discussion

The division did not receive any public comments recommending changes to the proposed rule; therefore there is no discussion.

Recommendation

I recommend that the division adopt the rule as proposed.

Ethan Baldwin
Hearing Officer
Division of Financial Regulation

This Summary and Recommendation are reviewed and adopted.

Signed this 5th day of December, 2025.



TK Keen, Administrator
Insurance Commissioner
Division of Financial Regulation