



Hearing Officer's Report to Agency on Rulemaking Hearing

Date: 11/3/2025

To: Department of Consumer and Business Services

From: Lisa Emerson, Hearing Officer

Subject: Prior Authorization Insurer Data Reporting Updates HB 3134 (2025)

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

The Division of Financial Regulation, on behalf of the director of the Department of Consumer and Business Services (DCBS), conducted a hearing on October 22, 2025 on proposed rules to update existing prior authorization insurer data reporting rules. The proposed rule amendments to OAR 836-053-1070 (Reporting of Grievances and Prior Authorization; Format and Contents) are necessary to align the rules with new prior authorization insurer data reporting requirements in HB 3134 (OR Laws 2025, Ch. 388).

House Bill 3134 (2025) amends ORS 743B.250 by updating the prior authorization data that insurers are required to report to DCBS on an annual basis. Effective January 1, 2026, and no later than March 1 of each calendar year, DCBS must publish on its website the prior authorization aggregate data reported by insurers in a format that does not identify the insurer.

The proposed rule amendments were developed in consultation with a Rules Advisory Committee (RAC), which met on July 29, 2025. The RAC included health care provider representatives, commercial health insurers, and consumer advocates. The RAC provided feedback on draft rule amendment language, data collection practices, and potential impacts on equity and administrative burden, helping to ensure that the final rule is both practical and responsive to stakeholder needs.

Hearing

The division held a rulemaking hearing on October 22, 2025 at 1:30 p.m. to discuss the proposed rule as described above. Members of the public were invited to attend the hearing. There were no public comments at the hearing.

Summary of Testimony

The division invited the public to submit written comments no later than 5:00 p.m., October 29, 2025. One written comment letter was received after the deadline date and time.

Discussion

The division did not receive any public comment; therefore there is no discussion.

Recommendation

I recommend that the division adopt the rule as proposed.

Lisa Emerson
Hearing Officer
Division of Financial Regulation

This Summary and Recommendation are reviewed and adopted.

Signed this 5th day of December 2025.

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TK Keen, Administrator
Insurance Commissioner
Division of Financial Regulation