

Oregon Administrative Rules

NOTICE OF PROPOSED RULEMAKING WORKSHEET

1. All categories on this form are required by the Secretary of State and the Attorney General's Administrative Law Manual per ORS 183.335. The grey notes are advice to assist you filling out this form.
2. This form includes the Statement of Need and Fiscal Impact, and space for rule text and summaries.
3. Fill out and return this completed form to the Rules Coordinator.

Filing Contact:

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Last Date and Time for Public Comment:

Date: June 23, 2025
Time: 5 pm

Filing Caption:

Update All Payer All Claims existing rule language and create new rule language to implement SB 966.

Hearing:

Date: June 18, 2025
Time: 10:05 am – 11:00 am
Street Address: ZoomGov, meeting info TBD
Hearings Officer Name: Pete Edlund
Special Instructions: The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting (contact info).

STATEMENT OF NEED AND FISCAL IMPACT

Need for Rule(s) Changes:

The All Payer All Claims (APAC) program is updating rules OAR 409-025-0100, OAR 409-025-0110, OAR 409-025-0120, and OAR 409-025-0140 while also creating new rule language, 409-025-0123.

- OAR 409-025-0100 is being updated to add definitions for dental carriers and remove references to "reporting entity."
- OAR 409-025-0110 is being revised to include dental carriers as mandatory reporters to APAC and to remove CCO exemptions from mandatory reporting.
- OAR 409-025-0120 removes the CCO claims data exclusion, directs reporters to continue reporting race, ethnicity, and primary language as per Appendix A if not using REALD & SOGI, requires TPAs to report pharmacy claims, and clarifies the tab-delimited file format.
- OAR 409-025-0123 is being created to comply with statutory changes from Senate Bill 966 (Oregon Laws 2023, chapter 584). It adopts standards for data reporting to APAC and aligns them with existing standards for race, ethnicity, language, disability, sexual orientation, and gender identity (OAR 950-030-0020). This new rule also implements an additional file layout (Appendix J) for reporting REALD and SOGI data to APAC.

- OAR 409-025-0140 adds dental carriers to the rule language.

Documents Relied Upon, and where they are available:

Senate Bill 966

Fiscal and Economic Impact:

Mandatory reporters will be impacted in developing resources and staff time for the collection and transmission of data in new rule OAR 409-0125-0123. The cost is generally unknown and will vary by reporter. However, one mandatory reporter has estimated the initial setup cost at \$350,000 to create a system to capture the required data, with an additional \$5 per member to distribute the REALD & SOGI survey. This obligation exists under ORS 413.164 as well as ORS 442.373.

Statement of Cost of Compliance:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). None

(2) Effect on Small Businesses: None known.

(a) Estimate the number and type of small businesses subject to the rule(s); Zero

(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); Cost is expected to be significant but minor in relation to the size of the business and annual revenue.

(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s). Unknown. Resources required will vary by reporter based on their existing system.

Describe how small businesses were involved in the development of these rule(s)?

These rules were developed without the input of small businesses due to the program's inability to identify such businesses that would be affected, as employee count and annual revenue are not reported to APAC. Most mandatory reporters are national organizations, and they have yet to identify themselves as small businesses.

Racial Equity Statement

The program does not directly interact with individuals, providers, or community groups. The All Payer All Claims (APAC) program does not establish eligibility for coverage, determine services to be provided, or establish the cost or payment for any services.

The program has worked closely with the Equity and Inclusion Division for guidance on collecting and ingesting Race, Ethnicity, Language, Disability (REALD) & Sexual Orientation, and Gender Identity (SOGI) data from members. Collection of this data will improve use of APAC data for racial equity activities.

Was an Administrative Rule Advisory Committee (RAC) consulted? Select Yes or No?

If not, why not?

No. Under an exemption, the program consulted with the Technical Advisory Group consisting of mandatory reporters and data requesters in lieu of a Rule Advisory Committee that includes public members. Members of the public are welcome to attend any Technical Advisory Group monthly meeting; however, the current attendees do not include members of the public.

Rule Text and Summary: Include the following for each rule in this filing:

Rulemaking Action: Adopt new, Amend existing

Rule number: 409-025-0100, 409-025-0110, 409-025-0120, 409-025-0123 and 409-025-0140.

Rule title: Definitions, General Reporting Requirements, Data File Layout, Format and Coding Requirements, Race, Ethnicity, Language, and Disability (REALD) & Sexual Orientation and Gender Identity (SOGI) APAC Data Submission, and Waivers, Exemptions, and Extensions.

Full rule text in tracked changes:

Statutes or Other Authority:

Statutes or Other Implemented: ORS 442.373

Brief Summary of rule changes:

These rules update the existing All Payer All Claims program rule language and implement the collection of race, ethnicity, language, disability, sexual orientation, and gender identity through APAC as authorized under SB 966 (2023).