

## Part 1: High-Level Description of Possible Significant Change

The table below provides high-level information about the possible significant change, as submitted.

|                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tracking #                                                                                        | 2027-027                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Q6. Provide a short name for possible change                                                      | Third Party Liability Section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Q1. Which CCO Contract(s) will be impacted?                                                       | (e) OHP Bridge-Basic Health Program Contract                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Q2. High-level description of possible change                                                     | <p>Exhibit B – Statement of Work – Part 8 – Accountability and Transparency of Operations: Add Section 18. Third Party Liability, Excluding Personal Injury Liens. Per 42 CFR 600.305(3)(ii)</p> <ul style="list-style-type: none"> <li>• A member is eligible for Employer Sponsor Insurance (ESI) that is unaffordable (as determined under section 36B(c)(2)(C) of Internal Revenue Code, individual is eligible to enroll in BHP.</li> <li>• Currently the ONE system is performing affordability test of ESI and allowing members to enroll in BHP with employer sponsored insurance</li> <li>• This change will bring us in alignment with Federal Regulations and how our system currently performs</li> </ul> <p>Currently this section is set for RESERVED</p> |
| Q3. Which prioritized restatement category applies?                                               | (d) Non-Discretionary Federal and State Changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Explain how change fits into "Non-Discretionary Federal & State Changes" category                 | <a href="https://www.ecfr.gov/current/title-42/section-600.305">https://www.ecfr.gov/current/title-42/section-600.305</a><br>42 CFR 600.305 (a)(3)(ii)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Q4. Could entire change be deferred to later contract year?                                       | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Consequence(s) if not included in 2027 contract                                                   | We need to bring our BHP Contract into compliance with Federal Regulations for a BHP member who has unaffordable ESI                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Q5. Could change be reduced to smaller components so it's phased in over multiple contract years? | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Which component(s) could be in later contract year(s)?                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Contact One: Name                                                                                 | Debbie Bruns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Contact One: Title                                                                                | Lead BHP Program Analyst                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Contact One: Email                                                                                | debbie.k.bruns@oha.oregon.gov                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Contact One: OHA Division/Program/Unit                                                            | OHA-CCO Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Contact Two: Name                                                                                 | Tim Sweeney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Contact Two: Title                                                                                | Health Policy Analyst                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Contact Two: Email                                                                                | TIMOTHY.D.SWEENEY@oha.oregon.gov                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Contact Two: OHA Division/Program/Unit                                                            | Health Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Q8. Executive Sponsor Name                                                                        | Stephen White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|                                                    |                                |
|----------------------------------------------------|--------------------------------|
| <b>Executive Sponsor Title</b>                     | CCO Services Manager           |
| <b>Executive Sponsor Email</b>                     | Stephen.C.White@oha.oregon.gov |
| <b>Executive Sponsor OHA Division/Program/Unit</b> | OHA -CCO Operations            |

## Part 2: Information for Engagement

This should be completed by the responsible OHA unit. **Be specific yet clear and concise in your responses; use bullet points.**

|            |                               |
|------------|-------------------------------|
| Tracking # | 2027-027                      |
| Short name | Third Party Liability Section |

### 1. What is the specific issue that will be addressed by this change?

This should explain the current state and why it's an issue to be addressed.

This will bring the BHP Contract into compliance with Federal Regulations for the Basic Health Program by adding Third Party Liability for members with unaffordable Employer Sponsored Insurance (ESI).

### 2. What is the preliminary suggestion for how to address the issue?

This should align with the high-level description submitted for the change. Refer to Part 1: High-Level Description of Possible Significant Change. The final proposed change may differ from the preliminary suggestion as a result of OHA and CCO engagement.

Add Section 18. Third Party Liability, Excluding Personal Injury Liens. Per 42 CFR 600.305(3)(ii)

### 3. What knowledge and/or skills should CCOs consider when deciding which staff to work with OHA on this issue?

CCO should include staff with knowledge familiar with TPL insurance and how billing would work.

### 4. Is there an existing meeting where OHA and CCOs can work – or are already working – on this issue? If so, identify the meeting and its schedule.

This work may require regular OHA-CCO engagement over a few weeks, possibly up to a couple months. If there is not a suitable existing forum, then OHA will hold a dedicated work session/s specifically for this purpose.

No