



**OREGON**  
ASSOCIATION OF  
ORTHOPAEDIC SURGEONS



**oregon dental**  
ASSOCIATION



**OREGON AMBULATORY  
SURGERY CENTER ASSOCIATION**  
*Our Patients Come First*

Thank you for the opportunity to provide comments on the HB 2362 Healthcare Market Oversight (HCMO) rule revisions. As outlined in our previous letters and Rules Advisory Committee comments, the organizations listed above are dedicated to providing access to quality healthcare across Oregon, and include many small and independent clinic owners operating outside of the larger hospital systems.

We appreciate the Authority's commitment to updating guidance documents to assist providers, particularly smaller providers, with compliance.

The providers signatory to these comments wish to express concern with the proposed revisions to OAR 409-070-0000— 409-070-0085. The concerns are as follows:

**409-070-0005**

- Section 27- The definition of "Services that are essential to achieve health equity" to include any service directly related to a chronic condition is significant and can include almost any health service. Additionally, while it is referenced in the guidance documents, "chronic conditions" is not defined anywhere in the Rule. We feel that this should be narrowed.

**409-070-0030**

- We appreciate that the proposed structure is a sliding scale based on projected revenue, but note that the fees outlined are still exorbitant and unworkable, especially for smaller providers such as those who have signed on to this letter, and especially considering that the fees do not capture additional costs for outside advisors, which are currently not capped. The sliding scale should apply not just to the size of the entity, but also to the size of the transaction. As others mentioned during previous RAC meetings, we too would greatly appreciate the opportunity to see the fee study.
- Finally the automatic 10% increase in fees every other year is astronomical, and unnecessary. It is doubtful that the HCMO program will increase by 10% every other year in perpetuity. If such a large fee increase is necessary, it should be preceded by a large stakeholder conversation that includes justification from the agency, rather than being implemented automatically.

Thank you for consideration of the above comments. The groups signatory to this letter look forward to reviewing future drafts of this rule, and to participating in the additional RAC meeting(s).

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