

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Consumer and Business Services, Insurance Division

836

Agency and Division

Administrative Rules Chapter Number

Requirements for Health Insurers' Report on Services Provided by Expanded Practice Dental Hygienists

Rule Caption

In the Matter of: Adopting OAR 836-011-0600, relating to expanded practice dental hygienists.

Statutory Authority: ORS 731.244, 705.135

Other Authority: Section 12, chapter 716, Oregon Laws 2011 (Enrolled Senate Bill 738)

Stats. Implemented: Section 12, chapter 716, Oregon Laws 2011 (Enrolled Senate Bill 738)

Need for the Rule(s): Section 12, chapter 716, Oregon Laws 2011 (Enrolled Senate Bill 738) requires the Department of Consumer and Business Services (DCBS) to adopt rules requiring health insurers to report to DCBS on the reimbursement of services to expanded practice dental hygienists and requires DCBS to report the reimbursement information to the Oregon Board of Dentistry (OBD).

This new rule is necessary to establish those reporting procedures and requirements for health insurers that provide coverage for dental services in Oregon. The rule also defines "expanded practice dental hygienist" and "health insurer" for purposes of the reporting requirement.

Documents Relied Upon, and where they are available: None

Fiscal and Economic Impact:

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

This rule would have minimal fiscal impact on the Department of Consumer and Business Services and no impact on local governments. The Board of Dentistry must use the data collected by the department in preparing a report to the Legislature. Any fiscal impact to DCBS will be absorbed by existing staff.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

This rule will require reporting by health insurers and other entities such as third party administrators, transacting insurance in Oregon. Some of these entities are small businesses. There are nine third party administrators in Oregon who are subject to this reporting requirement and all or some of these may be small businesses. It is also possible that some dental care organizations may be small businesses, but DCBS does not have information about the size of these entities.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: This rule requires a biennial report to the Insurance Division, which is then forwarded to the Oregon Board of Dentistry to compile the data received.

c. Equipment, supplies, labor and increased administration required for compliance: None.

How were small businesses involved in the development of this rule?

Small business representatives were included on the rules advisory committee.

Administrative Rule Advisory Committee consulted?: Yes.

If not, why?:

(Signed)

Teresa D. Miller, Insurance Administrator

October 14, 2011

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007