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RE: HB 3243 (2025) Rules Advisory Committee

Submitted electronically on December 1, 2025

The Oregon State Ambulance Association (OSAA) is a statewide association of EMS providers that includes public, private, non-profit, ground and air membership. On behalf of our membership, we offer the below comments on the rulemaking efforts related to HB 3243 (2025 Session).

Time-Specific Medicare Rates

OSAA supports DCBS’ proposed language that was presented at the last RAC meeting. OSAA feels that this approach strikes the right balance of maintaining legislative intent without delegating state authority, and being a good steward of state resources by not convening unnecessary rulemakings.

~~(b) If a rate has not been established under (a) of this subsection, an amount no less than 325 percent of the Medicare rate, as published by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services (CMS) as of January 1, 2026, and thereafter as published by the department in an annual bulletin and made available on the Division’s website at <https://dfr.oregon.gov/laws-rules/Pages/bulletins.aspx>, or its successor. The bulletin will notify health benefit plans of annual adjustment in the Medicare rate, if any, as published by CMS. The annual adjustment will be effective January 1st of each calendar year. If a rate has not been established under (a) of this subsection, the lesser of an amount no less than 325 percent of the Medicare rate as published on January 1, 2026 by the Centers for Medicare and Medicaid Services.~~

~~(i) 325 percent of the current published rate for ambulance services as established by the federal Centers for Medicare and Medicaid Services under Title XVIII of the Social Security Act for the same service provided in the same geographic area; or~~

There was a discussion about the schedule of the annual adjustment. CMS publishes the ambulance inflation factor annually in late October or early November. These rates are published [here](#). The public use files include the actual payment amounts by zip code, not just the percent increase each year. Additionally, we are including an example (attached) from last year of the transmittal that comes out each fall. This document indicates that the updates are annually, not quarterly.

2024 Officers:

President Tim Novotny Bay Cities Ambulance	Vice President Mike Lepin Jefferson County Fire & EMS	Treasurer Sheila Clough Mercy Flights	Secretary Rob McDonald AMR	Past President Dan Brattain CAL-ORE Life Flight	Legislative Co-Chairs Shawn Baird, Metro West John Tacy, Lebanon Fire
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Resident/Non-Resident Rates

There was some conversation about resident and non-resident rates at the last RAC meeting. Where they exist, resident/non resident rates are locally regulated, and as such, should be captured in the rates database that DCBS is creating.

Enforcement of locally established rate

Our members that serve both Oregon and Washington continue to share that they are experiencing that some insurers are only paying out the backup Medicare rate, and not the locally established rate even when it is included in the database. OSAA suggests adding strong enforcement language to the draft rules, and including information for EMS agencies in either the rule or an FAQ document about the available resources in the event that an insurer is not reimbursing appropriately.

Additional considerations:

- **Clarification that HB 3243 does not eliminate contracts between EMS agencies and insurers:** OSAA would appreciate a clarifying statement that the protections outlined in the rules and HB 3243 exist when there is not a contract between EMS providers and insurers. While in-network contracts are somewhat rare in the industry, we believe it is legislative intent to continue to allow these contracted relationships.

This is supported by the fact that the report-back mechanism contained in HB 3243 states that the report must include information about the number of contracts between EMS providers and insurers entered into on or after January 2026 (Section 3, HB 3243).

The Oregon State Ambulance Association is appreciative of DCBS work to implement HB 3243 (2025). Thank you for your consideration of the above comments.

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