

LEGISLATIVE UPDATE

Prepared for OAFP

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Overall this was a light week at the legislature. Two days were taken up with “Respectful Workplace” trainings for legislators, staff and lobbyists, in response to sexual harassment cases at the Capitol. Many committees canceled meetings and hearings because of the trainings. A full committee schedule will be on tap next week.

HB 2847 – Rural Medical Provider Tax Credit Expansion

Rep. Werner E. Reschke (R-Klamath Falls) and Sen. Dennis Linthicum (R-Klamath Falls) are proposing to expand the list of hospitals whose medical staff may qualify for the credit. Sky Lakes Hospital in Klamath Falls is currently excluded from that list, despite the fact that other physicians practicing there qualify for the largest credit amount.

Bob Duehmig, Deputy Director of the Office of Rural Health, testified that Rural Referral Centers and Sole Community Hospitals are federal designations. He also noted that this addition would physicians would only qualify for this credit if they met the other eligibility criteria such as the \$300k income cap.

HB 2010 – Hospital Assessment and Premium Tax for OHP

The proposal to renew Oregon’s provider taxes flew through the Human Services Subcommittee and full Ways and Means this week.

The hearing largely mirrored the hearing last week in House Health, with Rep. Cedric Hayden (R-Cottage Grove) proposing his two amendments again. The amendments sought to exclude insurance purchased by schools, and by small employers from the 2% insurance premium tax.

Democrats asked OHA Director Pat Allen, “What portion of the federal match rate would we lose [if we excluded schools]?”

Allen responded that the total amount collected from those entities would be about \$100,000. 2/3rds of which would be the federal match he says.

HB 2257 – Governor’s Opioid Bill

The House Health Committee passed the Governor’s opioid package with an amendment that clarifies that Dental Care Organization (DCO) dental directors would have access to the PDMP.

HB 2691 – OPAL Program

The House Health Committee passed the bill that puts the Oregon Psychiatric Access Line (OPAL) operated by Oregon Health and Science University (OHSU) in statute. OPAL provides real time psychiatric consultation to primary care providers across the state. It now goes to the floor for debate.

HB 2173 & HB 2184 – Rural Broadband

“At least 400,000 Oregonians lack access to the Internet at home,” Rep. Pam Marsh (D-Ashland) told the House Economic Development Committee. “Some portions of rural Oregon are essentially an Internet desert,” she said. In eastern Oregon, she said only 2/3rds of households have broadband and 26 Oregon school districts have no or inadequate internet service.

Rep. Marsh is supporting two bills designed to expand broadband service in rural Oregon.

HB 2173 – Creates the **Oregon Broadband Office** within the Oregon Business Development Department. The office would assist local communities with broadband investment and deployment strategies for unserved and underserved areas. Catherine Britain, Telehealth Alliance of Oregon, said, “Telehealth technologies that could provide healthcare services are plentiful and robust but they cannot function successfully without broadband.”

HB 2184 would create a **Broadband Fund** to provide grants for broadband projects using monies from the Oregon Universal Service Fund. This would provide opportunities for bringing broadband services to areas where traditional fiber is not affordable or where other solutions can be better utilized.

SB 293 – Indian Health Scholarship Program

Sen. Bill Hansell (R-Athena) says this bill passed the Senate Education Committee unanimously in the 2017 Session but went unfunded. The bill would create incentives for American Indians in medical professions to return to their communities to practice.

COMP-NW and Oregon Dental Association testified in support of the legislation.

SB 726 – Workplace Harassment

Sen. Kathleen Taylor (D-Portland) is leading efforts to strengthen Oregon’s workplace harassment law. She said SB 726 has “substantial protections and options for anyone in Oregon who experiences workplace harassment.”

Supporters of the bill testified that EEOC data shows that EEOC 1 in 4 women experience harassment at work but 94% of them don’t file a complaint.

The bill tries to shift power from employers to employees by:

- Prohibiting non-disclosure and no rehire agreements – the Oregon Trial Lawyers testified, “Nondisclosure agreements help predators keep harassing women”
- Expanding the statute of limitation to 7 years.
- Adding individual liability for employers and officers if they have knowledge of illegal activity - “If someone with executive authority discriminates against someone, they should be held personally responsible for that,” the AFL-CIO testified.
- Requiring employers to have a written harassment policy - “Employers with inadequate policies and procedures allow this harassment to occur,” one nurse testified.

Supporters said, “We didn’t redefine discrimination with this bill. What changes with this bill is what happens for workers when they experience discrimination in the workplace.”

Attorneys representing Oregon employers said they recognize that workplace harassment is a problem. They just want to be sure the law is workable. They are most concerned about the statute of limitation extension and the ban on nondisclosure agreements.

“The statute of limitation extension works counter to the need for more immediate reporting,” one said. Another added, “Confidentiality and no rehire agreements are a tool to help resolve conflicts. Different situations require different solutions. This removes a potentially useful tool.”

Additional amendments will change technical details in the bill but the concept has broad-based support. Sen. Tim Knopp (R-Bend) said, “This bill is about changing the power dynamic. We are going to do everything we can to do that.”

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