



## OAFP

**Week ending March 31, 2023**

### **Capitol Climate**

It's been quite a week. April 4th is the first major deadline of session, by which all bills on a majority of the policy committees must be voted affirmatively out of committee in order to remain active legislation. As we approach this deadline tensions run high, advocates are pushing for their bills to be "worked" (get a vote), legislative counsel's office is dashing to finalize amendments in time, legislative fiscal office is quickly analyzing fiscal impact, and committee agendas run a dozen bills deep (at least) each day. With all this activity it is also evident that we are in a "race to wait" much of the day.

Senate Judiciary and House Behavioral Health and Health Care committees have the greatest bulk of legislation pending right now and will both meet twice on next week's deadline and likely well into the night on Tuesday! After Tuesday we'll have a much shorter list of active legislation to share with you and we will start more closely following the Joint Ways & Means subcommittee work.

In other news, Governor Kotek celebrated her first big victory with a bill signing celebration for HB 2001. This legislation provides close to \$200 million for programs and projects to address houselessness and housing development. Advocates, legislators, and staff were on hand in the Governor's temporary office in the Oregon State Library for the celebration.

### **Committee Hearing Report outs**

*Joint Subcommittee On Human Services*

03/27/2023

- An informational meeting on the OHA budget, SB 5525, was held during the week of March 20th. Highlights included: Informational Meeting
  - OHA presentation on "Agency Wrap Up" ([slides](#))
    - Key take aways from the presentation:
      - OHA's Strategic Goal

- Eliminate health inequities in Oregon by 2030 with a Triple Aim:
  1. Better Health
  2. Better Care
  3. Lower Costs
- OHA's Budget Priorities
  - Reducing health inequities and advancing health equity
  - Protecting health coverage
  - Implementing the 1115 Medicaid waiver
  - Addressing unmet behavioral health needs
  - Supporting Oregon State Hospital
  - Sustaining and expanding public health capacity
- 2023-2025 Governor's Budget
  - By Division
    - (78%) \$26,882M Health Systems Division
    - (7%) \$2,488M Public Employees Benefit Board
    - (6%) \$1,994M Oregon Educators Benefit Board
    - (4%) \$1,343M Public Health
    - (2%) \$882M Oregon State Hospital
    - (2%) \$729M Central & Shared Services Asses.
    - (1%) \$230M Health Policy & Analytics
  - By Fund
    - (55%) \$19,050M Federal Funds
    - (29%) \$9,996M Other Fund
    - (16%) \$5,415M General Fund
    - (>1%) \$27M Lottery Funds
- Questions/Comments
  - Rep Goodwin: On the medicaid budget where could things be cut down if needed
    - OHA: Not filing vacant positions but would want to make sure not to see a reduction in quality of service.
  - Rep Bowman: What in the federal government do we need approval for the bridge plans?

- OHA: We need CMS approval which we are expecting to receive mid April.

### *Senate Health Care*

03/27/2023

- Work Session
  - [SB 490](#) (Directs Oregon Medical Board to support alliance program for family medicine residency training programs in this state)
    - Motion to adopt the -3 amendment passed 3-2 and will move to the floor with a do pass recommendation, also with a 3-2 vote down the party line.
- Public Hearing
  - [SB 408](#) (Directs Oregon Health Authority to establish process to receive and review health care profession scope of practice requests and impact statements)
    - Rep Dexter's Staff & Sebrina Riggs Representing various clients (Oregon academy of ophthalmology, Oregon association of orthopedic surgeons, Oregon society of anesthesiologists, and the osteopathic physicians and surgeons of Oregon) spoke at length on why they support the bill as it does not limit legislative authority nor will this committee not be looking to repeal anyones scope of practice however its goal is to get a committee that understands all the scope of practice intricacies in order to assist the legislature to fully understand the downstream impacts to legislation that changes the scope of practice in the medical field.

### *House Behavioral Health and Health Care*

03/27/2023

- Work Session
  - [HB 2552](#) (Increases amount of income tax credit allowed to rural medical providers)
    - Motion to move this bill to the floor passes 9-0-2 with no comments
- Public Hearing

- [HB 2642](#) (Requires practitioner to query electronic prescription monitoring system with respect to patient prior to issuing to, or renewing for, patient prescription for certain prescription drugs) was held with supportive testimony from the Chief Sponsor, Rep Emerson Levy, followed by testimony in Opposition from Tom Holt representing Oregon Health Leadership Council (OHLC). OHLC would want an amendment similar to other states, that would reduce the burden placed on prescription providers.

*House Behavioral Health and Health Care*

03/28/2023

Work Session on [HB 2723](#) (Modifies conditions of eligibility for tax credit allowed to rural medical care providers) was held. The motion to move the bill to the floor with a do pass recommendation passes 10-0-1.

*Senate Health Care*

03/29/2023

- Public Hearings

- [SB 608](#) (Prohibits insurers offering policies or certificates of health insurance and pharmacy benefit managers from requiring claim for reimbursement of prescription drug to include modifier or other indicator that drug is 340B drug)
  - Sen Campos explains that this bill has turned into a gut and stuff bill for sustainable reimbursement for pharmacies that serve Oregonians who are on the Oregon Health Plan with the [-1 amendment](#). No questions were asked and no comments were given.
- [SB 1079](#) (Requires Oregon Health Authority to study hospital licensing requirements)
  - Right before the committee there was two amendments posted ([-1 amendment](#) & [- 2 amendment](#)) both are nearly identical.
  - The testimony given during this public hearing was entirely supportive of the bill and either amendment as everyone agrees that studying the limited capacity issues that Oregon is currently facing is a good thing.

- [SB 1085](#) (Allows pharmacist to test and provide treatment for certain health conditions)
  - Sen Campos explained that her bill that allows pharmacists to “test and treat” is essential as pharmacists are the first and most accessible healthcare provider that is available for underserved communities and allowing pharmacists to “test to treat” which would provide a convenient option for timely access to short term common health conditions which can result in better health outcomes. Time did run out during the committee so no questions were asked and this bill will be carried this over for further testimony on 4/3/23.

*House Behavioral Health and Health Care*

03/29/2023

Work Session on [HB 2538](#) (Requires health insurance coverage of health care interpretation services that are legally mandated) was held. No motions were called forward as essentially this work session turned into a public hearing with invited guests Courtney Dresser and Katie King to talk the committee through the [-3 amendment](#) which attempts to rework the issue in order for commercial health insurance to pay for the cost of interpretation while not imposing the burden of this cost to the consumers primarily the ones with the least coverage. Another work session is scheduled for this bill on 4/3/23.

*House Behavioral Health and Health Care*

03/29/2023

Public Hearing was held on [HB 2697](#) (requires hospitals to establish technical staff and service staff staffing committees to develop staffing plans, in addition to nurse staffing committee). Substantial amendment, negotiated by ONA, OAHHS, and others, negotiated to determine how to develop staffing plans, how the state will provide oversight and accountability through BOLI (which will be a staff complaint process). Amendments to other bills will be introduced to address issues surfaced during this negotiation, such as HB 2742, to exclude certain costs from consideration as total health expenditures for purposes of the Health Care Cost Growth Target program.

## *Senate Judiciary*

03/30/2023

Public hearing on [SB 528](#) for the [-2 amendment](#) only (directs the director of public defense services to contract with Disability Rights Oregon (DRO) (pursuant to ORS 192.517 (1)) to provide legal services to respondents in protective proceedings and to provide educational services) was held. DRO and OPD testified in support of the bill focusing on DRO having more capacity and experience with protective proceedings and is therefore more capable of offering these services. Christopher Hamilton (attorney) testified in opposition focusing on the bill being pointless (statute is not required for DRO and OPD to contract), the three pilot programs are failing (low pay and lack of capacity), and that it would cost the state and defendant more. Sen. Gelser Blouin was upset with Christopher's testimony as she did not see how this would affect anyone by DRO and OPD.

## **Floor Activity**

[SB 450](#): Relating to opioids. Removes requirements for labeling nasal spray for reversing opioid overdose.

03/28/2023

Third reading. Carried by Bonham. Passed.

Yes 29, No 0, Excused 1

## **Coalition Meeting Report**

*AHO Policy Check-In*

03/28/2023

OHA gave a brief update on their bills: budget bill ([SB 5525](#)) focusing on the 1115 medicaid waiver and [SB 1044](#) funds \$15M for SUD treatment as recommended in the Governor's budget (\$74.2 million in general behavioral health investments). Health Care for All Oregon shared that [SB 704](#) (universal health care) was reassigned to rules and will likely change bill numbers.

## **The Week Ahead**

Joint Ways and Means Subcommittee on Human Services

04/03/2023 8:00 AM

[HB 5525](#): Relating to the financial administration of the Oregon Health Authority; declaring an emergency.  
*Information Meeting*

*Senate Session*

04/03/2023 10:45 AM

[SB 968](#): Relating to systems of care. Requires OHA in consultation with the System of Care Advisory Council, to study Oregon's systems of care.  
*Third Reading*

*Senate Judiciary*

04/03/2023 1:00 PM

[SB 376](#): Relating to insurance. Study bill, possible placeholder.  
*Work Session*

[SB 528](#): Relating to protective proceedings. POLST bill.  
*Work Session*

*Senate Health Care*

04/03/2023 1:00 PM

[SB 1079](#): Relating to health care. Amendments establish a task force to study challenges faced by post-acute health care systems.  
*Work Session*

[SB 584](#): Relating to health care interpreters.  
*Work Session*

[SB 191](#): Relating to medical assistance. Establishes new procedures for denial of payment/coverage reviews.  
*Work Session*

[SB 608](#): Relating to prescription drugs; prescribing an effective date. Prescription drug reimbursements.  
*Work Session*

[SB 1085](#): Relating to pharmacists; prescribing an effective date. Allows pharmacists to test and provide treatment for certain health conditions.  
*Public Hearing and Possible Work Session*

*House Behavioral Health and Health Care*

04/03/2023 3:00 PM

[HB 3157](#): Relating to health care coverage; prescribing an effective date.

Establishes Health Insurance Mandate Review Advisory Committee to review each proposed legislative matter that requires health insurer or health care service contractor to reimburse cost of specified procedure or provider.

*Work Session*

[HB 2538](#): Relating to health care interpretation services; prescribing an effective date. Legally mandates insurance coverage for interpretation.

*Work Session*

[HB 2642](#): Relating to prescription drug monitoring; prescribing an effective date.

*Work Session*

[HB 2513](#): Relating to drugs. Measure 110 technical fix bill.

*Work Session*

[HB 2045](#): Relating to health care. Study bill, possible placeholder.

*Work Session*

[HB 2742](#): Relating to health care costs. Excludes certain costs from consideration as total health expenditures for purposes of Health Care Cost Growth Target program.

*Work Session*

[HB 2002](#): Relating to health; declaring an emergency. Abortion and gender affirming care bill.

*Work Session*

[HB 2235](#): Relating to behavioral health. Requires OHA to convene a work group to study and recommend statewide behavioral health caseload standards.

*Work Session*

[HB 2878](#): Relating to paying for health care. Establishes Aligning for Health Pilot Program to test alternative payment methods for health care.

*Work Session*



[HB 2455](#): Relating to audits of claims for reimbursement of the costs of behavioral health treatment; prescribing an effective date.

*Work Session*

House Judiciary

04/04/2023 8:00 AM

[HB 2312](#): Relating to behavioral health. Study bill, possible placeholder.

*Work Session*

*Senate Judiciary*

04/04/2023

[SB 390](#): Relating to mental health treatment. Study bill, possible placeholder.

*Work Session*

*Joint Ways and Means Subcommittee on Human Services*

04/05/2023 8:00 AM

[SB 5522](#): Relating to the financial administration of the Oregon Medical Board; declaring an emergency.

*Work Session*