

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 2997 - A**

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

Prepared by: Kim To  
Reviewed by: John Terpening  
Date: 4/15/2013

**Measure Description:**

Requires person to obtain license to practice direct entry midwifery.

**Government Unit(s) Affected:**

Oregon Health Licensing Agency (OHLA), Oregon Judicial Department (OJD)

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:**

House Bill 2997 establishes the infrastructure for the Oregon Health Licensing Agency (OHLA) to require licensure to practice direct entry midwifery in Oregon. The bill defines licensure requirements, directs the State Board of Direct Entry Midwifery (SBDEM) to adopt rules, authorizes SBDEM to investigate complaints and take disciplinary action, including suspension or revocation of license and assessment of civil penalties. The bill allows licensing exemption for individuals who do not use legend drugs or devices, and does not advertise. Certain sections of the bill become operative on January 1, 2014. The bill contains an emergency clause and takes effect on passage.

Oregon Health Licensing Agency (OHLA)

Currently, the direct entry midwife licensure is voluntary, and unlicensed midwives may practice in Oregon. However, state law allows reimbursement under the Oregon Health Plan only if a licensed midwife provides birthing assistance. Should this legislation become law, the Oregon Health Licensing Agency anticipates receiving roughly 40 new midwifery applications and 20 renewals during the 2013-15 biennium; and 10 new applications and 40 renewals for the 2015-17 biennium. The current fee structure is as follows:

Application	\$ 150
Original License/Renewal	\$1,200

With the current fee structure, OHLA anticipates a revenue increase of \$30,000 for the 2013-15 biennium, and \$49,500 for the 2015-17 biennium.

The Legislative Fiscal Office notes that the current fee structure is not sufficient to support the cost of the SBDEM. The potential increased costs of investigations and disciplinary actions from the establishment of the mandatory licensing program could have a negative impact on OHLA's ending balance.

Oregon Judicial Department (OJD)

Passage of this bill is anticipated to have minimal impact on the Oregon Judicial Department. The bill authorizes any person who contests the imposition of a civil penalty, or imposition of a license sanction, to seek judicial review by the Court of Appeals. The department anticipates passage of this bill will increase the number of cases filed with the Court of Appeals.