

MEMORANDUM

TO: The Honorable Sen. Elizabeth Steiner Hayward, Senate Co-Chair
The Honorable Rep. Dan Rayfield, House Co-Chair
Subcommittee on Human Services

FROM: Janell Evans, Budget Director, Oregon Health Authority

DATE: April 21, 2017

SUBJECT: Responses to April 19 Public Hearing Questions

During OHA's presentation before your committee on Wednesday, April 19, committee members asked questions that required additional follow-up. Here are those questions and our responses:

Rep. Buehler: You expect full implementation [for the Toxic Free Kids database] when? What year?

Full implementation of statutory requirements in the 2015 Toxic-Free Kids Act will be January 1, 2022. By this date, the four overarching objectives of the legislation will have been completed:

1. All manufacturers of products "made for" or "marketed to" children under 12 years of age (target products) will report whether these products contain "high priority chemicals of concern for children's health" (target chemicals) intentionally added in the manufacturing process.
2. Manufacturers will have removed target chemicals from the subset of target products that are "mouthable; a children's cosmetic; or made for, marketed for use by or marketed to children under three years of age" (informally, the products of greatest concern).

3. OHA will have rules in place for notification of presence of target chemicals (effective December 2016); fees (effective February 2017), and waivers, exemptions, and substitutions for target chemicals intentionally added to target products (by 2019).
4. Manufacturers will have demonstrated through submission of a “manufacturing control program” that the presence of target chemicals in target products resulting from contaminants of the manufacturing process (that it, not intentionally added) are present at a level no greater than 100 parts per million.

OHA will also be reporting to the legislature regarding implementation of the program in September of every odd numbered year, beginning in 2017.

Rep. Buehler: When it’s [Toxic Free Kids database] fully implemented, what will the cost be?

The intensity of the work in the program fluctuates significantly from year to year through implementation phases. The average cost over the next three biennia is anticipated to be approximately \$960,000 per biennium.

Rep. Rayfield: The statute that we passed in 2015 required the creation of a website for the public, have you looked at the cost of creating the website and when might we see that coming up?

Preliminary research conducted early in the program’s implementation estimated a publicly-searchable element (i.e., a website) for the TFK Data System could be developed for approximately \$30,000. Since such a website would provide access to information for multiple states, we expect to pursue cost-sharing with other states to achieve this functionality, and can use fee revenues to cover Oregon’s share of these costs.

Rep. Buehler: The increasing problem I see on the credentialing is different CME requirements. Are you addressing that?

No – the Oregon Common Credentialing Program will not align different CME requirements, although it will collect prior two years of CME courses.

- The Oregon Common Credentialing Program will only collect information from practitioners that is currently collected on the state’s universal credentialing application, the Oregon Practitioner Credentialing Application (OPCA). The OPCA currently asks practitioners for information on CME credits they have earned in the last two years.
- Any CME requirements imposed on health care practitioners by state licensing agencies for licensure or by credentialing organizations (e.g.,

hospitals) for credentialing purposes will be unaffected by the implementation of the Oregon Common Credentialing Program. It will remain the responsibility of the respective licensing agencies and credentialing organizations to communicate their CME requirements to practitioners.

- More information on the OPCA can be found here:
https://www.oregon.gov/oha/OHPR/ACPCI/pages/state_app.aspx. Link to the OPCA fillable pdf form – CME credit 2-year history is on the bottom of page 9:
<https://www.oregon.gov/oha/OHPR/ACPCI/docs/2012/2012credappglossary.pdf>