

HOUSE AMENDMENTS TO HOUSE BILL 2310

By COMMITTEE ON HEALTH CARE

April 27

- 1 On page 1 of the printed bill, line 2, after “431.115,” insert “431.122.”
- 2 In line 14, delete “On or before January 1, 2017.”
- 3 In line 23, restore the colon.
- 4 On page 2, delete lines 1 and 2 and insert:
- 5 “(a) Must require the implementation of ORS 431.132 (1)(a) to (i), 431.136 (1)(a) to (c), 431.137,
- 6 431.142 and 431.143 (1), (2) and (4) on or before June 30, 2019; and
- 7 “(b) Must require that all local public health authorities first submit local plans implementing
- 8 ORS 431.131 and 431.141 on or before December 31, 2023.”.
- 9 On page 3, line 40, delete “incorporation and”.
- 10 On page 4, delete lines 15 through 45.
- 11 On page 5, delete lines 1 through 39 and insert:
- 12 “**SECTION 4.** ORS 431.380 is amended to read:
- 13 “431.380. (1) From **state** moneys [*available to*] **that** the Oregon Health Authority **receives** for
- 14 the purpose of funding the foundational capabilities established under ORS 431.131 and the founda-
- 15 tional programs established under ORS 431.141, the Oregon Health Authority shall make payments
- 16 to local public health authorities under this section. The Oregon Health Authority shall each
- 17 biennium submit to the **Oregon** Public Health Advisory Board and the Legislative Fiscal Office a
- 18 formula that provides for the equitable distribution of moneys. [*As a part of the formula, the Oregon*
- 19 *Health Authority shall:*] **The Oregon Health Authority shall incorporate into the formula:**
- 20 “[*(a) Establish a baseline amount to be invested in local public health activities and services by the*
- 21 *state;*]
- 22 “(a) **A method for distributing to local public health authorities a base amount of state**
- 23 **moneys received by the Oregon Health Authority pursuant to this subsection, taking into**
- 24 **consideration the population of each local public health authority, the burden of disease**
- 25 **borne by communities located within the jurisdiction of each local public health authority,**
- 26 **the overall health status of communities located within the jurisdiction of each local public**
- 27 **health authority and the ability of each local public health authority to invest in local public**
- 28 **health activities and services;**
- 29 “(b) [*Establish*] A method for awarding matching funds to a local public health authority that
- 30 invests in local public health activities and services above the [*baseline*] **base** amount [*established*
- 31 *by the Oregon Health Authority for that local public health authority*] **distributed in accordance**
- 32 **with paragraph (a) of this subsection;** and
- 33 “(c) [*Provide*] **A method** for the use of incentives as described in subsection [(4)] **(3)** of this
- 34 section.
- 35 “(2) **The Oregon Health Authority shall submit** the formula adopted under subsection (1) of

1 this section *[must be submitted]* to the **Oregon** Public Health Advisory Board and the Legislative
2 Fiscal Office no later than June 30 of each even-numbered year. **At the same time that the**
3 **Oregon Health Authority submits the formula, the Oregon Health Authority shall submit to**
4 **the Oregon Public Health Advisory Board and the Legislative Fiscal Office an estimate of the**
5 **amount of state moneys necessary to fund in part or in whole the foundational capabilities**
6 **established under ORS 431.131 and the foundational programs established under ORS 431.141.**

7 *“(3) In establishing a baseline amount for the purpose of awarding matching funds under sub-*
8 *section (1)(b) of this section, the Oregon Health Authority shall consider the population of each local*
9 *public health authority, the burden of disease borne by communities located within the jurisdiction of*
10 *each local public health authority, the overall health status of communities located within the jurisdic-*
11 *tion of each local public health authority and the ability of each local public health authority to invest*
12 *in local public health activities and services.]*

13 *“(4) (3) The Oregon Health Authority shall adopt by rule incentives [to encourage] and a*
14 **process for identifying, updating and applying accountability metrics, for the purpose of en-**
15 **couraging** the effective and equitable provision of public health services by local public health au-
16 thorities.

17 *“(5) Nothing in this section prohibits the Oregon Health Authority from distributing funds to a*
18 *local public health authority through a competitive contract or grant process or on the basis of need*
19 *for applying the foundational capabilities established under ORS 431.131 and implementing the foun-*
20 *dational programs established under ORS 431.141.]*

21 **“(4) Nothing in this section prohibits the Oregon Health Authority from distributing state**
22 **moneys that the Oregon Health Authority receives for the purpose of funding the founda-**
23 **tional capabilities established under ORS 431.131 and the foundational programs established**
24 **under ORS 431.141 to local public health authorities on an individual basis as opposed to a**
25 **statewide basis, or through a competitive grant or contract process or on the basis of need,**
26 **if the state moneys received are insufficient to adequately fund local public health authori-**
27 **ties on a statewide basis.**

28 **“SECTION 4a. (1) Each biennium, the Oregon Health Authority shall submit to the Leg-**
29 **islative Fiscal Office a report on the application of the formula described in ORS 431.380,**
30 **containing at a minimum:**

31 **“(a) A statement of the amount of state moneys that the Oregon Health Authority re-**
32 **ceived for the purpose of funding the foundational capabilities established under ORS 431.131**
33 **and the foundational programs established under ORS 431.141;**

34 **“(b) A description of how state moneys that the Oregon Health Authority received for**
35 **the purpose of funding the foundational capabilities established under ORS 431.131 and the**
36 **foundational programs established under ORS 431.141 were distributed to local public health**
37 **authorities; and**

38 **“(c) The level of work funded for each foundational capability and each foundational**
39 **program and the progress of local public health authorities in meeting accountability met-**
40 **rics.**

41 **“(2) The Oregon Public Health Advisory Board shall, each biennium, make recommen-**
42 **dations to the Oregon Health Authority on the priorities for the Oregon Health Authority**
43 **and on the priorities of local public health authorities for each foundational capability es-**
44 **tablished under ORS 431.131 and each foundational program established under ORS 431.141,**
45 **based on state moneys that the Oregon Health Authority received for the purpose of funding**

1 the foundational capabilities established under ORS 431.131 and the foundational programs
2 established under ORS 431.141.

3 **“SECTION 5.** ORS 431.382 is amended to read:

4 *“431.382. [If the Oregon Health Authority fails to distribute an amount of moneys to a local public
5 health authority equal to or in excess of the baseline amount established under ORS 431.380 (1)(a), a
6 local public health authority may request to transfer responsibility for fulfilling the local public health
7 authority’s duties under ORS 431.001 to 431.550 and 431.990 and the other public health laws of this
8 state to the Oregon Health Authority. If a local public health authority requests to transfer responsi-
9 bilities under this section, the moneys available to the local public health authority under ORS 431.380
10 revert to the Oregon Health Authority. A request to transfer made under this section must be made in
11 the form and manner prescribed by the Oregon Health Authority and takes effect 180 days after the
12 Oregon Health Authority receives the request.]*

13 **“(1) If the Oregon Health Authority does not receive state moneys in an amount that
14 equals or exceeds the estimate that the Oregon Health Authority submits to the Legislative
15 Fiscal Office under ORS 431.380 (2), the governing body of the county in which a local public
16 health authority operates may adopt an ordinance transferring the responsibility for fulfilling
17 the local public health authority’s duties under ORS 431.001 to 431.550 and 431.990 and the
18 other public health laws of this state to the Oregon Health Authority.**

19 **“(2) The Oregon Health Authority shall prescribe the form and manner of informing the
20 Oregon Health Authority that the local public health authority has made a transfer under
21 this section.**

22 **“(3) A transfer under this section may not take effect until 180 days after the date on
23 which an ordinance mandating the transfer is adopted.**

24 **“(4) The local public health authority that makes a transfer under this section is not el-
25 igible to receive any moneys pursuant to ORS 431.380, and the Oregon Health Authority may
26 use the moneys to provide or to contract for the provision of public health programs and
27 public health activities within the local public health authority’s jurisdiction.**

28 **“(5) If a local public health authority makes a transfer under this section, the Oregon
29 Health Authority is not obligated to provide or to contract for the provision of public health
30 programs and public health activities within the local public health authority’s
31 jurisdiction.”.**

32 On page 7, after line 9, insert:

33
34 **“OREGON PUBLIC HEALTH ADVISORY BOARD**

35
36 **“SECTION 8a.** ORS 431.122 is amended to read:

37 *“431.122. (1)(a) The Oregon Public Health Advisory Board is established for the purpose of ad-
38 vising and making recommendations to the Oregon Health Authority and the Oregon Health Policy
39 Board. The Oregon Public Health Advisory Board shall consist of:*

40 *“(A) [Thirteen] **Fourteen** members appointed by the Governor as specified in paragraph (b) of
41 this subsection;*

42 *“(B) The Public Health Director or the Public Health Director’s designee;*

43 *“(C) If the Public Health Director is not the State Health Officer, the State Health Officer or
44 a physician licensed under ORS chapter 677 acting as the State Health Officer’s designee;*

45 *“(D) If the Public Health Director is the State Health Officer, a representative from the Oregon*

1 Health Authority who is familiar with public health programs and public health activities in this
2 state; and

3 “(E) A designee of the Oregon Health Policy Board.

4 “(b) The Governor shall appoint the following individuals to the board:

5 “(A) A state employee who has technical expertise in the field of public health;

6 “(B) A local public health administrator who supervises public health programs and public
7 health activities in Benton, Clackamas, Deschutes, Jackson, Lane, Marion, Multnomah or
8 Washington County;

9 “(C) A local public health administrator who supervises public health programs and public
10 health activities in Coos, Douglas, Josephine, Klamath, Linn, Polk, Umatilla or Yamhill County;

11 “(D) A local public health administrator who supervises public health programs and public
12 health activities in Clatsop, Columbia, Crook, Curry, Hood River, Jefferson, Lincoln, Tillamook,
13 Union or Wasco County;

14 “(E) A local public health administrator who supervises public health programs and public
15 health activities in Baker, Gilliam, Grant, Harney, Lake, Malheur, Morrow, Sherman, Wallowa or
16 Wheeler County;

17 “(F) A local health officer who is not a local public health administrator;

18 “(G) An individual who represents the Conference of Local Health Officials created under ORS
19 431.330;

20 “**(H) An individual who is a member of, or who represents, a federally recognized Indian**
21 **tribe in this state;**

22 “[*H*] **(I)** An individual who represents coordinated care organizations;

23 “[*I*] **(J)** An individual who represents health care organizations that are not coordinated care
24 organizations;

25 “[*J*] **(K)** An individual who represents individuals who provide public health services directly
26 to the public;

27 “[*K*] **(L)** An expert in the field of public health who has a background in academia;

28 “[*L*] **(M)** An expert in population health metrics; and

29 “[*M*] **(N)** An at-large member.

30 “(2)(a) The term of office for a board member appointed under this section is four years, but a
31 member serves at the pleasure of the Governor. Before the expiration of the term of a member, the
32 Governor shall appoint a successor whose term begins on January 1 next following. A member is
33 eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an ap-
34 pointment to become immediately effective for the unexpired term.

35 “(b) Members of the board described in subsection (1)(a)(B) to (E) of this section are nonvoting
36 ex officio members of the board.

37 “(3) A majority of the voting members of the board constitutes a quorum for the transaction of
38 business.

39 “(4) Official action by the board requires the approval of a majority of the voting members of
40 the board.

41 “(5) The board shall elect one of its voting members to serve as chairperson.

42 “(6) The board shall meet at times and places specified by the call of the chairperson or of a
43 majority of the voting members of the board.

44 “(7) The board may adopt rules necessary for the operation of the board.

45 “(8) The board may establish committees and subcommittees necessary for the operation of the

1 board.

2 “(9) Voting members of the board are entitled to compensation and expenses as provided in ORS
3 292.495.”.

4 In line 23, delete “Section” and insert “Sections 4a and” and after “431.115,” insert “431.122,”.

5 In line 25, delete “1 to 8” and insert “1 to 4 and 5 to 8a”.

6 In line 30, delete “section” and insert “sections 4a and”.

7 In line 31, after “431.115,” insert “431.122,”.

8 In line 32, delete “1 to 8” and insert “1 to 4 and 5 to 8a”.

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