



## LEGISLATIVE JOINT TASK FORCE ON UNIVERAL HEALTH CARE

**\*\*\*DRAFT\*\*\***

### RULES AND OPERATING PROCEDURES

#### I. PURPOSE AND ROLES

##### A. TASK FORCE BACKGROUND

The Oregon Legislative Assembly passed [Senate Bill 770](#) during the 2019 Legislative Session. The legislation established a Task Force on Universal Health Care to recommend to the Legislative Assembly the design of the Health Care for All Oregon Plan, administered by the Health Care for All Oregon Board to provide publicly funded, equitable, affordable, comprehensive, and high-quality health care to all Oregon residents. The Task Force is required to submit a report that must include its recommendations for the Health Care for All Oregon Plan.

The Task Force will convene beginning in July 2020 and will present its report to no later than June 2021. Unless so requested by the legislature and agreed to by the Task Force, the Task Force's responsibilities will conclude at that time.

##### B. TASK FORCE DUTIES AND RESPONSIBILITIES

###### 1. Membership

Task Force members are appointed by the Governor, President of the Senate, and Speaker of the House of Representatives. Individuals on the Task Force must represent, to the greatest possible extent practicable:

- Rural health
- Quality assurance and health care accountability
- Fiscal management and change management
- Social services
- Public health services
- Medical and surgical services
- Alternative therapy services
- Services for persons with disabilities
- Nursing services

Additional considerations with respect to individuals providing representation are: active license to provide health care in this state; active license to provide mental or behavioral health care; has expertise, based on knowledge and experience, in advocating for health care equity; and personal experience in seeking and receiving health care in this state to treat complex or multiple chronic

illnesses or disabilities.

Directors of OHA and DCBS or their designees, the representative of the Association of Oregon Counties (AOC), and legislators are *nonvoting* members. Vacancies for any cause will be made by Legislative leadership or the Governor.

## **2. Task Force Member Responsibilities**

Members of the Task Force agree to fulfill their responsibilities through attending and participating in Task Force meetings, studying the available information, and participating in the development of a report. Members agree to participate in good faith and to act in the best interests of the Task Force and its charge. To this end, members agree to place the interests of the State above any particular political or organizational affiliations or other interests. Members accept the responsibility to collaborate in developing potential recommendations that are fair and constructive for the State.

Members are expected to consider a range of issues and options to address them, discuss the pros and cons of the issues/options presented, and deliver a report with key conclusions reflecting the “sense of the group.” For all recommendations adopted, the Task Force should include the rationale behind them. Specific Task Force member responsibilities include:

- Review background materials and analysis to understand the issues to be addressed in the review process.
- Work collaboratively with one another to explore issues and develop recommendations.
- Attend Task Force meetings, including presentation of the Task Force report to Legislative Committees if possible.
- Consider and integrate general public input into Task Force findings as appropriate.

Task Force members acknowledge that their role is to provide advice and frame policy choices, and any Task Force recommendations will be presented to the legislature for consideration.

## **3. Chairperson(s) Role**

The Chairperson(s) will encourage full and safe participation by members in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the expectations for the decision-making process and behavior defined herein. The Chairperson(s) will work with LPRO staff to develop meeting agendas, establish advisory or technical committees if needed, and ensure an efficient decision-making process. The Chairperson(s) will also serve as liaison between the Task Force and the legislature. Chairperson(s) will be elected during the first meeting of the Task Force by a majority of voting members after the nomination process.

## **4. Role of Legislative Policy and Research Office (LPRO) and Executive Agencies**

The Legislative Policy and Research Office (LPRO) will provide technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Task Force. LPRO staff will provide notice of the time and place of Task Force meetings at least one week in advance, including posting on OLIS.

The Oregon Health Authority (OHA) and Department of Consumer and Business Services (DCBS) shall assist the Task Force by furnishing information and advising the members.

### **5. Planning Meetings**

Planning meetings will be convened in between Task Force meetings to develop Task Force agendas and identify the time needed to complete the goals and tasks assigned to the Task Force. The planning meetings will also refine the work plan and determine how to address issues that arise between meetings. These meetings will comprise the legislators, Chairperson(s), and LPRO staff.

### **6. Task Force Values and Principles**

Senate Bill 770 specifies a set of values and principles that the Task Force is to consider in developing its recommendations (see [sections 4 and 5](#)). The values and principles serve to guide the Task Force in development of the Health Care for All Oregon Plan.

## **II. OPERATING PROCEDURES**

### **A. PROTOCOLS**

All participants agree to act in good faith in all aspects of Task Force deliberations. This includes being honest and refraining from undertaking any actions that will undermine or threaten the deliberative process. It also includes behavior outside of meetings. Expectations for Task Force members include:

- Participation and attendance at all meetings. If members cannot attend a meeting, they are requested to advise LPRO staff. After missing a meeting, the member should contact staff for a briefing.
- Speaking respectfully, briefly, and non-repetitively during Task Force discussions and engaging in honest and fair dialogue with other Task Force members. They will listen to each other to seek to understand the other's perspective, even if they disagree.
- Generate and explore all options on the merits with an open mind, listening to different points of view with a goal of understanding the interests of other Task Force members. This includes bringing all aspects of their concerns about these issues into this process to be addressed.
- Work toward achieving consensus on fair, practical, and durable recommendations.
- Refrain from side conversations, personal attacks, intentionally undermining the process, and publicly criticizing or mis-stating the positions taken by any other participants during the process.
- Any communications are to be mindful of these procedural ground rules and maintain a respectful tone, presenting a fair and balanced view of the issues and arguments out of respect for the process and other members even if highlighting different perspectives.
- Requests for information made outside of meetings will be directed to LPRO staff. Responses to such requests will be limited to items that can be provided within a reasonable amount of time.

## **B. TECHNICAL OR ADVISORY COMMITTEES**

As specified in Senate Bill 770, the Task Force may establish advisory or technical committees by approval of a majority of Task Force voting members in addition to the Consumer and Long-term Advisory Committees. The Task Force shall determine the representation, membership, terms, and organization of additional committees and shall appoint the members of the committees. To recruit membership for all advisory and technical committees, staff shall post a recruitment announcement including an interest form on the Task Force's webpage, in which members of the general public can express interest via email. The Interest Form is a basic application that tells the Task Force about the individual, their background, and why they want to participate on the advisory or technical committee. A roster of interested parties will be shared with the Task Force for consideration and approval. Each committee shall have a person designated as chair, who will serve as the liaison between the Task Force and the committee.

Members of advisory or technical committees, other than the Advisory Committee(s) established by Senate Bill 770, are not entitled to compensation but, in the discretion of the Task Force, may be reimbursed for actual and necessary travel and other expenses incurred by the members of the advisory or technical committees in the performance of official duties in the manner and amount provided in ORS 292.495.

## **C. MEETING PROCEDURES**

### **1. Task Force Meetings**

Advisory or technical committees or other advisory processes may be established by approval of a majority of Task Force voting members in addition to the committee(s) specified in Senate Bill 770. Meetings of these groups will be conducted in accordance with these operating procedures. A majority of voting members constitutes a quorum for the transaction of Task Force business. Meetings will be conducted in a manner deemed appropriate by the Chairperson(s) to foster collaborative decision-making and consensus building. This includes:

- Ensure a collaborative involvement process between Task Force members to explore strategies and provide recommendations to achieve the Task Force goals.
- Wherever possible, be interactive to ensure a balanced and fair discussion of issues, which ensures all perspectives are heard.
- Provide the Task Force with the relevant, objective information, in a timely fashion, that is necessary to make informed decisions in a readily understandable format.

Meetings will include a public comment opportunity including oral testimony. Comments from the public may be limited in time to allow sufficient opportunity to conduct the other portions of the Task Force agenda. Individuals are encouraged to submit written comments to LPRO staff for circulation to the full Task Force.

LPRO staff will work with the Chairperson(s) to ensure that meetings:

- 1) Clearly define opportunities where the public can provide timely input so that there is an opportunity to affect change.
- 2) Be accessible, inclusive, meaningful, regular, and timely in addition to open, fair, and honest.
- 3) Ensure a collaborative involvement process among Task Force members and stakeholders.
- 4) Wherever possible, be interactive to ensure a balanced and fair discussion of issues, which ensures all perspectives are heard.
- 5) Provide the Task Force with the relevant, objective information, in a timely fashion, that is necessary to make informed decisions. Presentations will provide the facts – pro and con – surrounding the issues in a readily understandable format.
- 6) Provide the big picture context and interconnections surrounding all issues before asking the Task Force to make a recommendation.
- 7) Be responsive to Task Force requests for information and process support.

### **2a. Consensus Process/Voting**

A consensus decision-making approach will be used to facilitate the Task Force's deliberations and to ensure that the Task Force receives the collective benefit of the individual views, experiences, backgrounds, training, and expertise of its members. Consensus is a participatory process whereby, on matters of substance, members strive for agreements that they can accept, support, live with, or agree not to oppose. Consensus means that no members voiced objection to the position, and they agree not to oppose the position.

Members agree that consensus has a high value and that the Task Force should strive to achieve it. As such, decisions on Task Force recommendations will be made by consensus of all present members unless voting is requested by a Task Force member. Voting shall be by roll call. Final action on Task Force recommendations requires an affirmative vote of a majority of the Task Force members.

Each Task Force member will have one vote except those non-voting members (i.e., Legislative Assembly members, OHA and DCBS Directors or their designees(s), and AOC representative). A vote represents that the member will recommend to his or her government, organization, or group that they should support or oppose the voted-upon proposal consistent with the member's vote. The names of those voting in favor and those voting against a proposal will be noted and included in the Task Force's recommendations.

Members will honor decisions made and avoid re-opening issues once resolved.

### **2b. No Consensus – Majority and Minority View**

If a consensus on an issue is still not reasonably likely, as determined by the Chairperson(s), the votes of those present at the meeting will be taken and recorded as a Majority - Minority vote. Majority is defined as at least 51 percent of the Task Force voting membership. The proposed language and reasoning supported by the majority will be noted along with their names in the Task Force's recommendations. Members voting in the minority will have their names, proposed language, and reasoning noted in a Minority Report accompanying any recommendation.

If no consensus is reached on an issue for proposed Task Force recommendation, minority positions will be documented. Those with minority opinions are responsible for proposing alternative solutions or approaches to resolve differences.

### **3. Documentation**

All meetings of the Task Force shall be recorded and written summaries prepared. The video recordings shall be indexed and shall be posted on the [Oregon Legislative Information System \(OLIS\)](#) and placed with the Oregon Archivist in accordance with Oregon law. Meeting agendas, summaries, and supporting materials will also be posted to the [Task Force web page](#).

Interested parties may receive notice of Task Force meetings and access Task Force materials through [eSubscribe](#).

The Task Force will utilize a work plan to provide specified tasks to accomplish the goal of recommending the design of the Health Care for All Oregon Plan, a universal health care system administered by the Health Care for All Oregon Board, that is equitable, affordable and comprehensive, provides high quality health care, and is publicly funded and available to every individual residing in Oregon. The work plan will be a working document throughout the course of the Task Force.

At the end of the process, LPRO staff will draft a report that outlines the issues discussed, details the recommendations for which there is consensus, and any remaining issues on which consensus was not reached.

## **D. COMMUNICATIONS**

Members agree that transparency is essential to the Task Force's deliberations. In that regard, members are requested to include both the Chairperson(s) and Task Force staff in written communications commenting on the Task Force's deliberations from/to interest groups (other than a group specifically represented by a member); these communications will be included in the public record as detailed below and copied to the full Task Force as appropriate.

Task Force members should take care to not "reply all" to emails sent to them by the Chair or staff. Written comments to the Task Force, from both individual Task Force members and from agency representatives and the public, should be directed to LPRO staff. Written comments will be distributed by LPRO staff to the full Task Force in conjunction with distribution of meeting materials or at other times at the Chair's discretion. Written comments related to recommendations of the Task Force will be posted to the Task Force web page.

Materials and written comments to the Task Force, both from individual Task force members and from agency representatives and the public, should be directed to LPRO staff. Materials and written comments submitted will be distributed by LPRO staff to the full Task Force through an established, transparent process. Materials and written comments will be posted to the Task Force web page.

## **E. PUBLIC STATUS OF TASK FORCE MEETINGS AND RECORDS**

Task Force meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law ([ORS 192.610-690](#)). Members of the public and legislators may testify before the Task Force upon the invitation of the Chairperson(s) or at the invitation of the majority of the members of the Task Force. In the absence of a quorum, a Task Force may still receive public testimony.

Any meeting held outside the Capitol shall adhere to the same notice provisions of a regular meeting. Recordings should be made in the same manner as a regular meeting. At a minimum, written summaries will be prepared noting attendance and any subject matter discussed.

Task Force records, including formal documents, discussion drafts, meeting summaries, and exhibits, are public records. Communications of Task Force members are not confidential because the meetings and records of the Task Force are open to the public. “Communications” refers to all statements and votes made during Task Force meetings, memoranda, work projects, records, documents or materials developed to fulfill the charge, including electronic mail correspondence.

## **F. AMENDMENT OF OPERATING PROCEDURES**

These rules and procedures may be changed by an affirmative vote of a majority of the members of the Task Force, but at least one day’s notice of any proposed change shall be given in writing to each member of the Task Force.