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Date February 11, 2019

TO: The Honorable Laurie Monnes Anderson, Chair
Senate Committee on Health Care

FROM: André Ourso
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SUBJECT: Senate Bill 28 – OHA Food, Pool and Lodging Fees

Chair Monnes Anderson and members of the committee; I am André Ourso, Administrator for the Center for Health Protection in the Public Health Division of OHA. I am here to testify in support of Senate Bill 28.

The Oregon Health Authority Food, Pool and Lodging Health and Safety Programs work in partnership with local health departments, industry and the public to reduce or eliminate illnesses and injury to patrons of food service establishments, public pools and tourist facilities in Oregon. The programs provide technical assistance, training and education, coordinate rulemaking and oversee and support the statewide licensing and inspection system.

Senate Bill 28, in conjunction with a portion of Senate Bill 29, increases the statutorily set fees for the Food, Pool and Lodging Programs to cover the current costs of performing required regulatory work. This includes conducting licensing, inspections and enforcement for restaurants, swimming pools and lodging facilities in the state. The statute also specifies fees for food service and public pool plan review and variance requests to assure that these facilities are properly designed and constructed to protect public health and safety. These fees have not been revised since 2003 and are no longer sufficient to cover the costs to provide these important public health services.

Generally, the Oregon Health Authority (OHA) delegates the responsibility to license and inspect these facilities to local public health authorities, or LPHAs. The statute permits LPHAs to adjust their fees from the amount in statute, with a requirement to seek OHA approval for any fee that is 20% above or below the statutory fees. Increasing fees in statute would realign fees with OHA's current costs of doing business and reduce the need for LPHA's to develop (and OHA to review) justification requests for increasing fees.

Increasing the statutory fees is also essential for a different reason. Unlike our local public health partners, OHA is required to charge the licensing fees listed in statute. When a county transfers public health authority back to OHA, as happened last year with Wallowa County, OHA must implement the food, pool and lodging safety programs, charging the statutory fees that have been in place since 2003. This fee structure is not sufficient to cover OHA's costs. Without an increase in these license, variance and plan review fees in statute, OHA will be unable to provide adequate environmental health service in Wallowa County or any other jurisdiction that transfers the programs back to OHA.

This bill is vital to delivering an important environmental public health protection for people in Oregon, and meeting the public's expectations that government is working to ensure their health and safety as they dine, swim, and visit in Oregon. Thank you for the opportunity to provide testimony. I would be happy to answer any questions you have regarding SB 28.