

D R A F T

SUMMARY

Directs Oregon Health Authority to establish dental pilot project advisory committee to assist and provide advice to authority regarding administration of dental pilot projects. Sunsets advisory committee on January 2, 2025.

Requires completed pilot project to submit final report to authority. Requires authority to report not later than September 15 of each year to interim committee of Legislative Assembly related to health care on completed and operating pilot projects.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to administration of dental pilot projects; creating new provisions;
3 amending section 1, chapter 716, Oregon Laws 2011; and prescribing an
4 effective date.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. (1) The Oregon Health Authority shall convene a dental**
7 **pilot project advisory committee to assist and provide advice to the**
8 **authority regarding the administration of the dental pilot projects de-**
9 **scribed in section 1, chapter 716, Oregon Laws 2011. The advisory**
10 **committee shall assist and provide advice to the authority on at least**
11 **the following:**

12 (a) **The approval of pilot projects;**

13 (b) **The establishment of metrics by which to evaluate the success**
14 **of a pilot project;**

15 (c) **The establishment of guidelines for determining when a pilot**
16 **project is complete; and**

17 (d) **The adoption of rules related to pilot projects.**

1 **(2) The advisory committee shall consist of members who are rep-**
2 **resentatives from the Oregon Board of Dentistry, professional dental**
3 **organizations, dental educational institutions and health systems and**
4 **members of the public with interest or expertise in public health or**
5 **oral health or increasing access to medical and dental care.**

6 **SECTION 2.** Section 1, chapter 716, Oregon Laws 2011, is amended to
7 read:

8 **Sec. 1** (1) The Oregon Health Authority may approve pilot projects to
9 encourage the development of innovative practices in oral health care deliv-
10 ery systems with a focus on providing care to populations that evidence-
11 based studies have shown have the highest disease rates and the least access
12 to dental care. **In consultation with the advisory committee convened**
13 **under section 1 of this 2019 Act,** the authority may approve a pilot project
14 that is designed to:

15 (a) Operate for three to five years or a sufficient amount of time to
16 evaluate the validity of the pilot project;

17 (b) Evaluate quality of care, access, cost, workforce and efficacy; and

18 (c) **In an effort to increase access to care for the populations de-**
19 **scribed in this subsection,** achieve at least one of the following:

20 (A) Teach new skills to existing categories of dental personnel;

21 (B) Develop new categories of dental personnel;

22 (C) Accelerate the training of existing categories of dental personnel; or

23 (D) Teach new oral health care roles to previously untrained persons.

24 (2) The authority shall adopt rules:

25 (a) Establishing an application process for pilot projects;

26 (b) Establishing minimum standards, guidelines and instructions for pilot
27 projects; *[and]*

28 (c) Requiring an approved pilot project to report to the authority on the
29 progress *[and outcomes]* of the pilot project, including:

30 (A) The process **and specific criteria** used to evaluate the progress and
31 *[outcomes]* **success** of the **approved** pilot project **in providing care to the**

1 **populations described in subsection (1) of this section;**

2 (B) The baseline data and information to be collected;

3 (C) The nature of program data that will be collected and the methods for
4 collecting and analyzing the data;

5 (D) The provisions for protecting the safety of patients seen or treated in
6 the project; and

7 (E) A statement of previous experience in providing related health care
8 services[.]; **and**

9 **(d) Requiring a completed pilot project to submit a final report to**
10 **the authority that includes the material described in paragraph (c) of**
11 **this subsection and details any recommendations for changes to au-**
12 **thorization to practice dentistry or dental hygiene, or authorization**
13 **to provide oral health care, in order to increase access to care for the**
14 **populations described in subsection (1) of this section.**

15 **(3) The authority shall adopt rules related to evaluating the success**
16 **of a completed pilot project. The rules must require a completed pilot**
17 **project to use metrics, including, but not limited to, those to evaluate**
18 **patient safety and access to oral health care.**

19 [(3)] **(4) The authority shall [seek the advice of appropriate professional**
20 **societies and licensing boards] consult with the advisory committee con-**
21 **vened under section 1 of this 2019 Act** before adopting rules under [*sub-*
22 *section (2) of*] this section.

23 [(4)(a)] **(5)(a) Notwithstanding ORS 679.020 and 680.020, a person may**
24 **practice dentistry or dental hygiene without a license as part of a pilot**
25 **project approved under this section if the person practices dentistry or**
26 **dental hygiene** under the general supervision of a dentist licensed under
27 ORS chapter 679 and in accordance with rules adopted by the authority.

28 (b) A person practicing dentistry or dental hygiene without a license un-
29 der this section is subject to the same standard of care and is entitled to the
30 same immunities as a person performing the services with a license.

31 **(c) The authority or the Oregon Board of Dentistry may not disci-**

1 **pline a person who is in compliance with this subsection.**

2 [(5)] (6) The authority may accept gifts, grants or contributions from any
3 public or private source for the purpose of carrying out this section. Funds
4 received under this subsection shall be deposited in the Dental Pilot Projects
5 Fund established under section 17 *[of this 2011 Act]*, **chapter 716, Oregon**
6 **Laws 2011.**

7 (7)(a) **Not later than September 15 of each year, the authority shall**
8 **report on the operating pilot projects and any pilot projects completed**
9 **since the previous most recent report under this subsection. The re-**
10 **port must include a detailed summary of the material described in**
11 **subsection (2)(c) and (d) of this section. The authority may include any**
12 **recommendations for legislation to achieve the objectives described in**
13 **subsection (1) of this section.**

14 (b) **The authority shall submit, in the manner provided in ORS**
15 **192.245, the report described in this subsection to an interim commit-**
16 **tee of the Legislative Assembly related to health care.**

17 (c) **In addition to the submission required under paragraph (b) of**
18 **this subsection, a report submitted under this subsection must be**
19 **provided directly to the Health Care Workforce Committee established**
20 **under ORS 413.017 and the Oregon Health Policy Board established**
21 **under ORS 413.006.**

22 **SECTION 3. Section 1 of this 2019 Act is repealed on January 2, 2025.**

23 **SECTION 4. (1) Section 1 of this 2019 Act and the amendments to**
24 **section 1, chapter 716, Oregon Laws 2011, by section 2 of this 2019 Act**
25 **become operative on January 1, 2020.**

26 (2) **The Oregon Health Authority may take any action before the**
27 **operative date specified in subsection (1) of this section that is neces-**
28 **sary to enable the authority to exercise, on or after the operative date**
29 **specified in subsection (1) of this section, all of the duties, functions**
30 **and powers conferred on the authority by section 1 of this 2019 Act and**
31 **the amendments to section 1, chapter 716, Oregon Laws 2011, by sec-**

1 **tion 2 of this 2019 Act.**

2 **SECTION 5. This 2019 Act takes effect on the 91st day after the date**
3 **on which the 2019 regular session of the Eightieth Legislative Assem-**
4 **bly adjourns sine die.**

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