

ANALYSIS

Item 11: Oregon Health Authority Family Planning Services

Analyst: Tom MacDonald

Request: Approve, retroactively, the submission of a federal grant application request to the U.S. Department of Health and Human Services (HHS) in the amount of \$15,500,000 over five years for family planning services.

Analysis: The federal Title X Family Planning program supports an array of voluntary services that assist in preventing or achieving pregnancy, with priority given to low-income families. Oregon was a Title X grantee for nearly 50 years until OHA ended its participation in August 2019 due to a new federal rule that prohibited health care practitioners from using Title X funds to refer clients for abortions as a method of family planning. Since then, OHA has used General Fund available from the Reproductive Health Equity Act (RHEA) program to temporarily offset the loss of Title X dollars.

Upon the Biden Administration's reversal of the 2019 federal rule, OHA has applied for the next five-year Title X grant period beginning April 1, 2022. Consistent with previous Title X awards, OHA's Reproductive Health Program will use the federal funds to support voluntary and medically approved family planning services provided through the program's Title X partner clinics. These services include payment for contraceptive products for clients who want to prevent pregnancy, pregnancy testing and counseling, basic infertility services, sexually transmitted infection services, and other preconception services.

OHA will also use funds to support a required statewide needs assessment of program accessibility and the need for reproductive health services, particularly with respect to the impact from the COVID-19 pandemic. This work could lead to the expansion of services in jail settings, investments in clinics' infrastructure needs, and new partnerships with community-based organizations who serve historically marginalized populations. Additionally, the current opportunity includes a new health equity component related to the development of an impact statement to identify populations at the highest risk for health disparities and low health literacy. This requirement will result in additional ongoing data collection, analysis, and reporting activities compared to previous grant cycles.

OHA will need a new Research Analyst 3 position to support the required needs assessment and new data collection and analysis work. The agency will carry out the remaining grant requirements with existing staff. OHA submitted a timely notification of its intent to apply for the grant in advance of the January 11, 2022 application deadline. Although the grant does not require a specific state match percentage, it requires awardees to use other resources to support Title X services. Consistent with previous grant awards, RHEA and Contraceptive Care program funding in the Public Health Division will satisfy this requirement.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means approve the request.

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Oregon Health Authority
Heath

Request: Retroactive authorization for the Oregon Health Authority to apply for a grant from the U.S. Department of Health and Human Services (DHHS) to provide family planning services to low-income Oregonians.

Recommendation: Approve the request.

Discussion: The Oregon Health Authority (OHA) requests authorization to apply for a \$15.5 million, five-year grant from DHHS - Title X to provide family planning services to low-income Oregonians. OHA found out about the grant on October 27, 2021, and applications are due on January 11, 2022. OHA submitted a 10-day grant notification timely on December 6, 2021.

Title X grant funds can be used for a broad array of family planning services to assist in preventing or achieving pregnancy, with priority given to persons of low income. Oregon had participated in the program for approximately 50 years before DHHS changed the program in 2019. As a result of this change, OHA withdrew from the program and used one-time savings from the Reproductive Health Equity Act program to continue providing services. The federal government recently completed rulemaking to roll back the 2019 changes and OHA is again applying for funding.

DHHS' program priorities for this round of grant funding are advancing health equity, improving and expanding access to services, and delivering high quality services. OHA is planning additional grant activities to meet these priorities, including a statewide needs assessment for reproductive health services, as well as potentially expanding services in jail setting, assisting clinics in building infrastructure to join the Reproductive Health Program clinic network, and building partnerships with community-based organizations in marginalized communities.

Grant funds will be used to pay for contraception, pregnancy testing and counseling, basic infertility services, sexually transmitted infection services, and other related services that cannot be funded with another source, for instance through the Contraceptive Care or Reproductive Health Equity Act programs. OHA plans to use existing positions to achieve the grant outcomes, as well as to hire an additional Research Analyst 3 position to assist with enhanced data collection, the statewide needs assessment, and continuous quality improvement required as part of the work of the grant to advance health equity.

Matching funds are required but not a specific percentage or dollar amount; OHA plans to use existing funding for reproductive health care to meet the match requirement. There is no maintenance of effort required to accept this funding.



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Senator Elizabeth Steiner Hayward, Co-Chair
Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairpersons:

Nature of the Request

The Oregon Health Authority (OHA) Public Health Division is requesting retroactive approval to apply for a federal funding opportunity from the DHHS, Office of Assistant Secretary for Health, Office of Population Affairs, for the Title X Family Planning Services grant.

This funding opportunity will increase Oregon's ability to provide reproductive services across the state. This is the only federal grant program dedicated to providing comprehensive family planning and related preventive health services and plays a critical role in ensuring access to a broad range of family planning and related preventive health services for millions of low-income or uninsured clients, including adolescent clients, every year. Title X family planning services are services that assist in preventing or achieving pregnancy. This funding would replace General Fund currently used to provide family planning services, support existing OHA staff and one additional staff person, and pay for community engagement and partnership activities.

This grant would fund up to \$15,500,000 over 5 years. Public Health would receive up to \$3,100,000 per year. This grant would begin April 1, 2022, and conclude March 31, 2027.

OHA learned of the grant opportunity on October 27, 2021. The application is due January 11, 2022. This grant funding does not require a fixed cost-sharing or match, but it does require financial support from sources other than Title X. The RH Program would use Oregon's Contraceptive Care (CCare), an 1115 Medicaid Waiver program, and funding from the Reproductive Health Equity Act to meet this

requirement. The grant funding would help support several existing positions and one new position to meet Title X's requirement for ongoing data collection and needs assessment.

Agency Action

Oregon was a Title X grantee for 49 years, from 1970-2019, until changes to the Title X rules made it impossible for OHA to comply with the funding requirements and state law. Since its withdrawal from Title X, OHA has been granted permission to use General Fund to replace Title X funding. If awarded, OHA would resume using Title X funds reducing the need for General Fund.

Title X funding would allow the Reproductive Health Program to enhance and expand its efforts in reducing gaps and barriers to access to reproductive health services across the state, especially among historically marginalized populations. The current Title X application and rule emphasizes health equity and innovation, which aligns with OHA's state health improvement plan, Healthier Together Oregon.

The Reproductive Health Program would use the funding to do a statewide needs assessment to measure the current accessibility and need for reproductive health services in this semi-post COVID environment. Additionally, funds could be used to expand services in jail settings, aid clinics in building the infrastructure needed to join the Reproductive Health Program clinic network and build partnerships with community organizations in historically marginalized populations.

Title X would pay for the following existing positions to achieve the intended grant outcomes:

- Operations & Policy Analyst 3 (0.35 FTE) to lead program development, project coordination, and tracking/reporting grant deliverables.
- Program Analyst 2 (0.4 FTE) to coordinate health education efforts
- Public Health Nurse Consultant 2 (2 at 0.75 FTE) to provide clinical oversight and monitoring.
- Operations & Policy Coordinator 2 (0.4 FTE) to work with community partners and Reproductive Health clinical network (including local public health authorities) to facilitate partnership and ensure access to reproductive health services across the state.
- Various other leadership or supporting positions (PEMD, AS1, FA2, RA4, PEMF, AS2) for a total of .95 FTE.

Additionally, the Reproductive Health Program would add a permanent Research Analyst 3 position to meet the Title X's requirement for ongoing data collection and needs assessment leading to continuous quality improvement as part of a Disparity Impact Statement. This position would improve the Reproductive Health Program's data system to collect the data required by Title X, and provide continuous data analysis to monitor access, service use, and outcomes.

Action Requested

The OHA Public Health Division requests retroactive approval to apply to the DHHS, Office of Assistant Secretary for Health, Office of Population Affairs for the Title X Family Planning Services Grant.

Legislation Affected

None.

For additional information, please contact the Adolescent Health, Genetics, and Reproductive Health Section Manager, Helene Rimberg at (971) 673-0364, or helene.m.rimberg@dhsosha.state.or.us.

Sincerely,



Patrick M. Allen
Director

EC: Tom MacDonald, Legislative Fiscal Office
Laurie Byerly, Legislative Fiscal Office
Amanda Beitel, Legislative Fiscal Office
Patrick Heath, Department of Administrative Services
George Naughton, Department of Administrative Services