

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2359 - 4

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Requires health care providers to work with health care interpreters from health care interpreter registry operated by Oregon Health Authority to provide interpretation services.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Department of Justice (DOJ), Oregon Employment Department (OED), Department of Consumer and Business Services (DCBS), Department of Corrections (DOC)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact - Oregon Health Authority (OHA):

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	222,683	296,914
Services and Supplies	447,981	384,979
Total General Fund	670,664	681,893
Other Funds		
Personal Services	19,484	25,979
Services and Supplies	47,328	44,305
Total Other Funds	66,812	70,284
Federal Funds		
Personal Services	36,186	48,250
Services and Supplies	82,008	86,193
Total Federal Funds	118,194	134,443
TOTAL FUNDS		
Personal Services	278,353	371,143
Services and Supplies	577,317	515,477
TOTAL FUNDS	\$855,670	\$886,620
Positions	2	2
FTE	1.50	2.00

Analysis:

HB 2359 with the -4 amendment requires that health care providers work with health care interpreters from the health care interpreter registry administered by the Oregon Health Authority (OHA), except under specific

circumstances. OHA, health professional regulatory boards, and the Department of Human Services (DHS) are required to enforce interpreter requirements.

OHA is directed to adopt rules to ensure that a coordinated care organization (CCO), and any other health care provider reimbursed for the cost of health care by the state medical assistance program, work with a certified health care interpreter or a qualified health care interpreter when interpretation is needed, and that reimbursement for these services occurs.

OHA is directed to collaborate with the Oregon Council on Health Care Interpreters to conduct a study on the best model for an online platform for patients and health care providers to contract with health care interpreters, and how to use state and federal funds to finance the platform no later than July 1, 2022; and regarding sight translation and related best practices. OHA is to report to the interim committees of the Legislative Assembly related to health on these studies no later than January 1, 2022.

Anyone applying to OHA for qualification or certification as a health care interpreter must be notified on their application status within 60 days of the application's receipt. OHA must provide health care interpreter training and continuing education in accordance with standards adopted by the Oregon Council on Health Care Interpreters; training may be provided at no cost or must be affordable. OHA must maintain a record of all health care interpreters who have completed an approved training program and establish and maintain a registry for all qualified or certified health care interpreters with a process for interpreters to update their information each biennium. OHA must also prescribe by rule the steps that a governing body of a public body must take to have a qualified interpreter present at a meeting.

This measure declares an emergency and takes effect on passage, with different portions of the measure operative on September 1 and July 1, 2022, and January 1, 2023.

Oregon Health Authority (OHA)

OHA estimates the fiscal impact of this measure to be \$855,670 Total Funds, 2 positions, 1.50 FTE for the 2021-23 biennium; and \$886,620 Total Funds, 2 positions, 2.00 FTE for the 2021-23 biennium. This estimate includes personal services and related services supplies for one Operations and Policy Analyst 3 and one Administrative Specialist 2 position to provide programmatic and operational support. Services and Supplies costs also include funding for training, community outreach and engagement, and consultant/contractor fees. The funding split (at approximately 80% General Fund, 7% Other Funds, and 13% Federal Funds) is based on the agency's cost allocation model for Central Services.

Oregon Employment Department (OED)

Under this measure, health care interpreters would be eligible for Unemployment Insurance benefits in many cases. The Oregon Employment Department estimates that 1,547 people would be eligible for benefits. This would increase unemployment claims by \$1,499,121 total funds in 2021-23 and 2023-25, with \$26,235 of this amount coming from federal benefits through Unemployment Compensation for Federal Employees and Unemployment Compensation for Ex-service members. Unemployment insurance revenue is expected to increase by \$3,509,954 over the same time period. Because unemployment benefits are paid from non-limited funds, OED does not require additional expenditure limitation under this measure. There is minimal impact anticipated for work related to assessment of additional unemployment claims; and minimal impact for additional work under this measure for the Office of Administrative Hearings.

Department of Corrections (DOC)

DOC anticipates minimal fiscal impact from this measure. DOC currently contracts with interpreters for adults in custody (AICs) who speak a language different than their medical provider. This measure would require DOC to use interpreters from a list created by OHA. DOC would make the change to these preferred interpreters.

Department of Human Services (DHS), Department of Justice (DOJ), Department of Consumer and Business Services (DCBS), Health Professional Regulatory Boards

Passage of this measure is anticipated to have a minimal fiscal impact on DHS, DOJ, DCBS and health professional regulatory boards.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact.