

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 719 - 2

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Haylee Morse-Miller
Reviewed by: Laurie Byerly, Tom MacDonald, John Borden
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Measure Description:

Provides that certain aggregate data relating to reportable disease investigations are not confidential or exempt from disclosure under public records law unless data could reasonably lead to identification of individual.

Government Unit(s) Affected:

Department of Justice (DOJ), Oregon Health Authority (OHA), Counties

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

SB 719 - 2 requires the Oregon Health Authority (OHA) or a local public health administrator to release aggregate information about reportable disease investigations. Reports cannot identify individual cases or sources of information. This measure declares an emergency and takes effect on passage.

The overall fiscal impact for OHA as a result of this measure is indeterminate. OHA anticipates that given the COVID-19 pandemic, a substantial number of requests for information will be received in the 2021-23 biennium, but the total request volume is currently unknown. OHA would anticipate that requests for this data would continue into the 2023-25 biennium given that OHA currently receives requests for other outbreak data, even though release of this information is not currently allowable under statute. OHA also notes that data for requests must be pulled from several databases, which is a labor-intensive activity.

Given these factors, OHA estimates that the agency will require three limited-duration positions in 2021-23, in addition to two new permanent positions, in order to respond to requests. However, staffing needs would be dependent on the number of requests for data, and further analysis is needed to determine the number of requests for disease investigations data currently received by OHA in order to extrapolate permanent staffing needs. As a point of reference, the five new positions would cost approximately \$694,297 in 2021-23, and \$479,356 in 2023-25.

OHA additionally notes that a funding source for this measure is also indeterminate. The agency may be able to pay for costs of implementation in 2021-23 using Federal Funds received in response to the COVID-19 pandemic; however, using Federal Funds for this purpose would require approval from the agency’s federal funding partners and federal guidance is still needed for allowable use of some funds. If Federal Funds cannot be used, then General Fund monies would likely need to backfill any costs of implementation in 2021-23; and General Fund will be needed to pay for ongoing position costs in the 2023-25 biennium.

There is no fiscal impact for the Department of Justice. There is an indeterminate impact for Counties, as this measure will require additional work for local public health authorities, but this will also depend on the volume of requests received.

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