

HB 4077 -2, -3 STAFF MEASURE SUMMARY

House Committee On Education

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Meeting Dates: 2/7, 2/12

WHAT THE MEASURE DOES:

The measure expands the uses of the state's high cost disability account, establishes a group to help schools bill Medicaid, and lists the laws that a recovery school must follow.

Detailed Summary

High Cost Disability Account (Sections 1-3)

- Expands the uses of the high cost disability account. Allows districts to apply for funding based on community need rather than solely based on the costs for individual students.

School Medicaid Technical Advisory Committee (Section 4)

- Creates a committee to conduct reviews of the Medicaid state plan, expand billable services and provider types, maximize school districts' Medicaid billing, remove barriers to Medicaid billing, ensure that Oregon takes advantage of federal Medicaid expansions that impact the funding available for school districts, recommend changes to state laws or rules, advise state agencies, communicate with school districts, and coordinate statewide efforts related to schools and Medicaid. Establishes the committee's membership, term of office, leadership, and certain operating procedures. Directs state agencies to assist the committee.

Recovery Schools (Section 5)

- Repeals a reference to charter schools in the existing law about recovery schools and lists the laws recovery schools must follow.

ISSUES DISCUSSED:

- Provisions of amendment
- Injuries sustained by school employees
- Types of work done by classified educators
- Current work by Oregon Department of Education to revive School Medicare Advisory Committee

EFFECT OF AMENDMENT:

-2 Replaces the measure. Requires a new method of collecting information about injuries to school staff.

Detailed Summary

Replaces the measure. Requires the Oregon Department of Education to establish a method for collecting information about injuries to school staff. Outlines minimum requirements for method. Establishes a technical advisory committee to assist ODE.

-3 Replaces the measure. Requires a new method of collecting information about injuries to school staff, including the status of the injured staff person's training.

Detailed Summary

Replaces the measure. Requires the Oregon Department of Education to establish a method for collecting information about injuries to school staff. Outlines minimum requirements for method, including the status of the injured staff person's training. Establishes a technical advisory committee to assist ODE.

BACKGROUND:

This summary has not been adopted or officially endorsed by action of the committee.

High Cost Disability Account (Sections 1-3)

- Oregon’s high cost disability account was established in 2005 to assist districts in paying for individual students whose educational needs cost school districts in excess of \$30,000. Under current law, a district is ineligible to apply for funding from this account unless an individual student meets this criteria. School districts with high rates of special education identification may apply for a waiver of the cap established in ORS 327.013. Current law gives the Oregon Department of Education (ODE) authority to waive the cap.

School Medicaid Technical Advisory Committee (Section 4)

- In 2023, federal Medicaid rules expanded the amount of funding available to school districts that bill for the health-related services they provide to students. In Oregon, [Senate Bill 111 \(2017\)](#) set up a pilot program to assist schools with billing Medicaid for health services provided to students, but the program sunset in 2020.

Recovery Schools (Section 5)

- Recovery schools are alternative high schools specifically established to support students in recovery from substance use disorders. Oregon’s first recovery school, Harmony Academy, opened in Lake Oswego in 2019. [House Bill 2767 \(2023\)](#) established recovery schools in state law and required the Oregon Department of Education to adopt standards for them. It also required ODE to enter into agreements with up to nine recovery schools.

School Injury Incident Reporting (-2 and -3 amendments)

- At the request of the Oregon School Employees Association, the committee amendments (-2 and -3) fill gaps in the reporting of workplace injuries sustained by school employees. Under current law, workplace injuries are reported in three ways:
 - Occupational Safety and Health Administration (OSHA) 300 logs, which are annual reports of all injuries for which no medical office visit is necessary;
 - OSHA claims for catastrophic injuries such as death; loss of limb, eye, or bone; or hospitalization; and
 - Workers Compensation's accepted disabling claims, defined as those injuries in which an employee is ordered to take at least three days off work by a doctor.
- Not currently included in any reporting system are those injuries considered non-disabling claims, or those injuries that require medical treatment but that do not require three days off work.