

HB 2310-2
(LC 582)
4/6/17 (MBM/ps)

Requested by HOUSE COMMITTEE ON HEALTH CARE (at the request of Oregon Health Authority)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2310**

1 On page 1 of the printed bill, line 2, after “431.115,” insert “431.122,”.

2 On page 3, line 40, delete “incorporation and”.

3 On page 4, delete lines 15 through 45.

4 On page 5, delete lines 1 through 39 and insert:

5 **“SECTION 4.** ORS 431.380 is amended to read:

6 “431.380. (1) From **state** moneys [*available to*] **that** the Oregon Health
7 Authority **receives** for the purpose of funding the foundational capabilities
8 established under ORS 431.131 and the foundational programs established
9 under ORS 431.141, the Oregon Health Authority shall make payments to
10 local public health authorities under this section. The Oregon Health Au-
11 thority shall each biennium submit to the **Oregon** Public Health Advisory
12 Board and the Legislative Fiscal Office a formula that provides for the eq-
13 uitable distribution of moneys. [*As a part of the formula, the Oregon Health*
14 *Authority shall:*] **The Oregon Health Authority shall incorporate into**
15 **the formula:**

16 “[*(a) Establish a baseline amount to be invested in local public health ac-*
17 *tivities and services by the state;*]

18 **“(a) A method for distributing to local public health authorities a**
19 **base amount of state moneys received by the Oregon Health Authority**
20 **pursuant to this subsection for the purpose of funding the founda-**
21 **tional capabilities established under ORS 431.131 and the foundational**

1 **programs established under ORS 431.141, taking into consideration the**
2 **population of each local public authority, the burden of disease borne**
3 **by communities located within the jurisdiction of each local public**
4 **health authority and the overall health status of communities located**
5 **within the jurisdiction of each local public health authority;**

6 “(b) [*Establish*] A method for awarding matching funds to a local public
7 health authority that invests in local public health activities and services
8 above the [*baseline*] **base** amount [*established by the Oregon Health Authority*
9 *for that local public health authority*] **distributed in accordance with par-**
10 **agraph (a) of this subsection;** and

11 “(c) [*Provide*] **A method** for the use of incentives as described in sub-
12 section [(4)] **(3)** of this section.

13 “(2) The formula adopted under subsection (1) of this section must be
14 submitted to the **Oregon** Public Health Advisory Board and the Legislative
15 Fiscal Office no later than June 30 of each even-numbered year.

16 “[*(3) In establishing a baseline amount for the purpose of awarding*
17 *matching funds under subsection (1)(b) of this section, the Oregon Health*
18 *Authority shall consider the population of each local public health authority,*
19 *the burden of disease borne by communities located within the jurisdiction of*
20 *each local public health authority, the overall health status of communities*
21 *located within the jurisdiction of each local public health authority and the*
22 *ability of each local public health authority to invest in local public health*
23 *activities and services.*]

24 “[*(4)*] **(3)** The Oregon Health Authority shall adopt by rule incentives [*to*
25 *encourage*] **and a process for identifying, updating and applying ac-**
26 **countability metrics, for the purpose of encouraging** the effective and
27 equitable provision of public health services by local public health authori-
28 ties.

29 “[*(5) Nothing in this section prohibits the Oregon Health Authority from*
30 *distributing funds to a local public health authority through a competitive*”

1 *contract or grant process or on the basis of need for applying the foundational*
2 *capabilities established under ORS 431.131 and implementing the foundational*
3 *programs established under ORS 431.141.]*

4 **“(4) Nothing in this section prohibits the Oregon Health Authority**
5 **from distributing:**

6 **“(a) State moneys that the Oregon Health Authority receives for**
7 **the purpose of funding the foundational capabilities established under**
8 **ORS 431.131 and the foundational programs established under ORS**
9 **431.141 to local public health authorities on an individual basis as op-**
10 **posed to a statewide basis if the state moneys received are insufficient**
11 **to adequately fund local public health authorities on a statewide basis;**

12 **“(b) State moneys that the Oregon Health Authority receives for**
13 **the purpose of funding the foundational capabilities established under**
14 **ORS 431.131 and the foundational programs established under ORS**
15 **431.141 to a local public health authority or other person through a**
16 **competitive grant or contract process or on the basis of need; or**

17 **“(c) Federal moneys that the Oregon Health Authority receives,**
18 **including grants or moneys from other sources, to a local public**
19 **health authority or other person in any manner that is consistent with**
20 **any federal or other applicable requirements.**

21 **“SECTION 4a. (1) Each biennium, the Oregon Health Authority**
22 **shall:**

23 **“(a) Submit to the Oregon Public Health Advisory Board and the**
24 **Legislative Fiscal Office an estimate of the amount of state moneys**
25 **necessary to fully fund the foundational capabilities established under**
26 **ORS 431.131 and the foundational programs established under ORS**
27 **431.141.**

28 **“(b) Submit to the Legislative Fiscal Office a report on the appli-**
29 **cation of the formula described in ORS 431.380, containing at a mini-**
30 **mum:**

1 **“(A) A statement of the amount of state moneys that the Oregon**
2 **Health Authority received for the purpose of funding the foundational**
3 **capabilities established under ORS 431.131 and the foundational pro-**
4 **grams established under ORS 431.141;**

5 **“(B) A description of how state moneys that the Oregon Health**
6 **Authority received for the purpose of funding the foundational capa-**
7 **bilities established under ORS 431.131 and the foundational programs**
8 **established under ORS 431.141 were distributed to local public health**
9 **authorities; and**

10 **“(C) The level of work funded for each foundational capability and**
11 **each foundational program and the progress of local public health**
12 **authorities in meeting accountability metrics.**

13 **“(2) The Oregon Public Health Advisory Board shall, each biennium,**
14 **make recommendations to the Oregon Health Authority on the prior-**
15 **ities for the Oregon Health Authority and on the priorities of local**
16 **public health authorities for each foundational capability established**
17 **under ORS 431.131 and each foundational program established under**
18 **ORS 431.141, based on state moneys that the Oregon Health Authority**
19 **received for the purpose of funding the foundational capabilities es-**
20 **tablished under ORS 431.131 and the foundational programs established**
21 **under ORS 431.141.**

22 **“SECTION 5.** ORS 431.382 is amended to read:

23 ***“431.382. [If the Oregon Health Authority fails to distribute an amount of***
24 ***moneys to a local public health authority equal to or in excess of the baseline***
25 ***amount established under ORS 431.380 (1)(a), a local public health authority***
26 ***may request to transfer responsibility for fulfilling the local public health***
27 ***authority’s duties under ORS 431.001 to 431.550 and 431.990 and the other***
28 ***public health laws of this state to the Oregon Health Authority. If a local***
29 ***public health authority requests to transfer responsibilities under this section,***
30 ***the moneys available to the local public health authority under ORS 431.380***

1 *revert to the Oregon Health Authority. A request to transfer made under this*
2 *section must be made in the form and manner prescribed by the Oregon Health*
3 *Authority and takes effect 180 days after the Oregon Health Authority receives*
4 *the request.]*

5 **“(1) To transfer to the state the responsibility of fulfilling the duties**
6 **of a local public health authority under ORS 431.001 to 431.550 and**
7 **431.990 and the duties of a local public health authority under the**
8 **other public health laws of the state, the governing body of a county**
9 **must provide notice to the Oregon Health Authority in a form and**
10 **manner prescribed by the Oregon Health Authority and comply with**
11 **any rules for adopted by the Oregon Health Authority that govern the**
12 **transfer process. A transfer under this section may not take effect**
13 **sooner than 180 days after the date on which the governing body of the**
14 **county adopts the ordinance.**

15 **“(2) If the governing body of a county makes a transfer under this**
16 **section, the local public health authority that provides public health**
17 **services for the county is not eligible to receive any moneys pursuant**
18 **to ORS 431.380, and the Oregon Health Authority may use the moneys**
19 **to provide or to contract for the provision of public health programs**
20 **and public health activities within the local public health authority’s**
21 **jurisdiction.”.**

22 On page 7, after line 9, insert:

23

24 **“OREGON PUBLIC HEALTH ADVISORY BOARD**

25

26 **“SECTION 8a. ORS 431.122 is amended to read:**

27 **“431.122. (1)(a) The Oregon Public Health Advisory Board is established**
28 **for the purpose of advising and making recommendations to the Oregon**
29 **Health Authority and the Oregon Health Policy Board. The Oregon Public**
30 **Health Advisory Board shall consist of:**

1 “(A) [*Thirteen*] **Fourteen** members appointed by the Governor as specified
2 in paragraph (b) of this subsection;

3 “(B) The Public Health Director or the Public Health Director’s designee;

4 “(C) If the Public Health Director is not the State Health Officer, the
5 State Health Officer or a physician licensed under ORS chapter 677 acting
6 as the State Health Officer’s designee;

7 “(D) If the Public Health Director is the State Health Officer, a repre-
8 sentative from the Oregon Health Authority who is familiar with public
9 health programs and public health activities in this state; and

10 “(E) A designee of the Oregon Health Policy Board.

11 “(b) The Governor shall appoint the following individuals to the board:

12 “(A) A state employee who has technical expertise in the field of public
13 health;

14 “(B) A local public health administrator who supervises public health
15 programs and public health activities in Benton, Clackamas, Deschutes,
16 Jackson, Lane, Marion, Multnomah or Washington County;

17 “(C) A local public health administrator who supervises public health
18 programs and public health activities in Coos, Douglas, Josephine, Klamath,
19 Linn, Polk, Umatilla or Yamhill County;

20 “(D) A local public health administrator who supervises public health
21 programs and public health activities in Clatsop, Columbia, Crook, Curry,
22 Hood River, Jefferson, Lincoln, Tillamook, Union or Wasco County;

23 “(E) A local public health administrator who supervises public health
24 programs and public health activities in Baker, Gilliam, Grant, Harney,
25 Lake, Malheur, Morrow, Sherman, Wallowa or Wheeler County;

26 “(F) A local health officer who is not a local public health administrator;

27 “(G) An individual who represents the Conference of Local Health Offi-
28 cials created under ORS 431.330;

29 “(H) **An individual who is a member of, or who represents, a feder-**
30 **ally recognized Indian tribe in this state;**

1 “~~[(H)]~~ **(I)** An individual who represents coordinated care organizations;

2 “~~[(I)]~~ **(J)** An individual who represents health care organizations that are
3 not coordinated care organizations;

4 “~~[(J)]~~ **(K)** An individual who represents individuals who provide public
5 health services directly to the public;

6 “~~[(K)]~~ **(L)** An expert in the field of public health who has a background
7 in academia;

8 “~~[(L)]~~ **(M)** An expert in population health metrics; and

9 “~~[(M)]~~ **(N)** An at-large member.

10 “(2)(a) The term of office for a board member appointed under this section
11 is four years, but a member serves at the pleasure of the Governor. Before
12 the expiration of the term of a member, the Governor shall appoint a suc-
13 cessor whose term begins on January 1 next following. A member is eligible
14 for reappointment. If there is a vacancy for any cause, the Governor shall
15 make an appointment to become immediately effective for the unexpired
16 term.

17 “(b) Members of the board described in subsection (1)(a)(B) to (E) of this
18 section are nonvoting ex officio members of the board.

19 “(3) A majority of the voting members of the board constitutes a quorum
20 for the transaction of business.

21 “(4) Official action by the board requires the approval of a majority of the
22 voting members of the board.

23 “(5) The board shall elect one of its voting members to serve as chair-
24 person.

25 “(6) The board shall meet at times and places specified by the call of the
26 chairperson or of a majority of the voting members of the board.

27 “(7) The board may adopt rules necessary for the operation of the board.

28 “(8) The board may establish committees and subcommittees necessary for
29 the operation of the board.

30 “(9) Voting members of the board are entitled to compensation and ex-

1 penses as provided in ORS 292.495.”.

2 In line 23, delete “Section” and insert “Sections 4a and” and after
3 “431.115,” insert “431.122,”.

4 In line 25, delete “1 to 8” and insert “1 to 4 and 5 to 8a”.

5 In line 30, delete “section” and insert “sections 4a and”.

6 In line 31, after “431.115,” insert “431.122,”.

7 In line 32, delete “1 to 8” and insert “1 to 4 and 5 to 8a”.

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