

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3063 - A18**

80th Oregon Legislative Assembly – 2019 Regular Session  
Legislative Fiscal Office

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

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Date: April 24, 2019

**Measure Description:**

Removes ability of parent to decline required immunizations against restrictable diseases on behalf of child for reason other than child's indicated medical diagnosis.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Department of Education (ODE), Oregon Board of Naturopathic Medicine (OBNM), Oregon Medical Board (OMB), Oregon State Board of Nursing, school districts, counties

**Summary of Fiscal Impact:**

Quantifiable costs related to the measure will require budgetary action. In addition, the fiscal impact analysis contains elements that are indeterminate, at this time - See analysis.

**Summary of Expenditure Impact:**

	2019-21 Biennium	2021-23 Biennium
Oregon Health Authority - General Fund		
Services and Supplies	21,500	
Special Payments	78,500	
<b>Total Oregon Health Authority - General Fund</b>	<b>\$100,000</b>	<b>\$0</b>

**Analysis:**

HB 3063 with the -A18 amendment:

- Defines “restrictable disease” to mean diphtheria, tetanus, pertussis, polio, measles, rubella, mumps, haemophilus influenza type b, hepatitis A and B, and varicella.
- Removes the allowance, as a condition of attendance in any Oregon school or children's facility, for a parent to decline immunizations against “restrictable diseases” on behalf of their child.
- Allows a child not immunized for a reason other than a medical diagnosis to attend an online education program. Requires such a child not immunized to submit to the administrator of the school a document signed by a licensed health care practitioner stating that the child should be exempted from receiving a specified immunization. This document must be reviewed and submitted annually to the administrator by a date to be specified by the Oregon Health Authority (OHA). The bill authorizes the State Board of Education to adopt rules to carry out this provision.
- Prohibits a child not who is not immunized for a reason other than a medical diagnosis from attending school related activities in person.
- Directs OHA to establish an outreach and education plan around immunizations and “restrictable diseases” in schools and children's facilities.
- Allows a child who is not immunized and has not provided documentation of a medical diagnosis exemption, to continue to attend school until Aug 1, 2020.
- Requires the Oregon Board of Naturopathic Medicine (OBNM), the Oregon Medical Board (OMB), and the Oregon State Board of Nursing (OSBN) to review exemption documents signed by licensed health

care practitioners regulated by the board to determine whether the exemptions are in compliance with recommendations by the Advisory Committee on Immunization Practices or its successor organization.

- Requires OHA to annually report to the Legislature on the exemption reviews conducted by OBNM, OMB, and OSBN.
- Requires the Department of Education (ODE) to report to the Legislature on the immunization status of children who are homeschooled and who opted to take classes online due to the immunization exclusion, by December 31st of each year.

#### Oregon Health Authority (OHA)

OHA estimates the fiscal impact of this measure to be \$100,000 General Fund for the 2019-21 biennium. This amount includes \$21,500 to contract with an entity to develop an outreach plan and specific educational materials for daycares, schools and local public health authorities, as well as to organize and host regional meetings for local stakeholders. In addition, OHA anticipates \$78,500 in potential programming costs to modify 10 school information systems and to implement local changes to 19 installations of Synergy student information systems. These expenses are reimbursed to schools by the Public Health Immunization Program.

In addition, the bill requires the Oregon Board of Naturopathic Medicine, the Oregon Medical Board, and the Oregon State Board of Nursing to review exemption documents signed by licensed health care practitioners regulated by the board to determine whether the exemptions comply with recommendations by the Advisory Committee on Immunization Practices or its successor organization. Each board must report annually to OHA. The bill requires OHA to collate these reviews and report to the Legislature by December 31st each year. The fiscal impact of this requirement on OHA is indeterminate. Depending on the volume of these reviews, OHA reports that the agency may need additional staffing and resources to work with its Office of Information Services (OIS), as well as the Oregon Board of Naturopathic Medicine, the Oregon Medical Board, and the Oregon State Board of Nursing to develop a tracking process, webforms, and database for exemption review and reporting.

#### Department of Education (ODE)

The fiscal impact to ODE is indeterminate depending on the level of detail required by the Legislature for the report on the immunization status of children who are homeschooled and on children who opt to take classes online due to the immunization exclusion. Under current practice, ODE does not collect immunization information for homeschooled students. If the reporting information required is above the level that is easily obtained from education service districts and schools, the department estimates the fiscal impact of this bill to be \$238,723 and 0.67 FTE for the 2019-21 biennium; and \$135,236 and 0.31 FTE for the 2021-23 biennium. This amount reflects the cost of using one existing part-time Health Education Specialist 2 and one existing part-time Information Systems Specialist 7 position to work with school districts and educational services districts to establish a data collection process and a create an information system for tracking immunization documentation for homeschooled and online students that will meet the reporting and privacy requirements of the bill.

#### Oregon Board of Naturopathic Medicine (OBNM), the Oregon Medical Board (OMB), and the Oregon State Board of Nursing (OSBN)

The fiscal impact of this bill on OBNM, OMB, and OSBN is indeterminate depending on the number of exemptions that must be reviewed by each board and what is required of each board upon finding out-of-compliance exemptions. Although each board will use existing staff and resources to work with OHA and to modify its rules to comply with the provisions of this bill, depending on the number of exemptions each board must review, the boards may need additional staff and resources to address this increase in workload. In addition, although the bill is silent on what each board would do upon finding out-of-compliance exemptions, if the boards are expected to investigate licensees upon finding out-of-compliance exemptions, the boards will also incur additional staff and/or consultant costs, as well as expenses from any resulting disciplinary proceedings.

#### School Districts and counties

Schools and local public health authorities may see an increase in workload associated with the issuance of exclusion orders.