

HB 2970 -8 STAFF MEASURE SUMMARY

House Committee On Health Care

Prepared By: Brian Nieubuurt, LPRO Analyst

Meeting Dates: 3/18, 4/1

WHAT THE MEASURE DOES:

Defines “device” for purposes of practice of advanced nonablative esthetics. Allows person certified to practice esthetics to use items other than devices. Clarifies definition of “esthetics.” Prohibits person certified to practice esthetics from using mechanical or electrical apparatus, appliance or device without specific authorization by Board of Certified Advanced Estheticians. Defines “mechanical or electrical apparatus, appliance or device.” Requires health insurance policies to provide coverage for certain prescription drugs prescribed and dispensed by pharmacists and pharmacist fees for related patient consultation. Prohibits insurers from requiring prior authorization for medication prescribed for treatment of opioid or opiate withdrawal or post-exposure prophylaxes antiretroviral drugs, or restricting reimbursement for specified medication-assisted treatments. Establishes Senior Emergency Medical Services Innovation Program is established in the Department of Human Services to select, fund, and monitor pilot projects related to senior emergency medical services. Establishes Senior Emergency Medical Services Advisory Council and specifies membership. Sunsets Program and Council on January 2, 2025. Prohibits local governments from enacting certain regulations related to, and from imposing fees on, long term care facilities and residential care facilities. Specifies exemptions from prohibition. Sunsets prohibitions on January 2, 2025. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-8 **Replaces measure.** Prohibits person from using a device that is not registered with the United States Food and Drug Administration to perform advanced nonablative esthetics procedures. Authorizes the Board of Certified Advanced Estheticians to define “device” by rule in collaboration with Board of Certified Advanced Estheticians. Prohibits person certified to practice esthetics from using mechanical or electrical apparatus, appliance or device without specific authorization by Board of Certified Advanced Estheticians. Defines “mechanical or electrical apparatus, appliance or device.” Defines means for temporary hair removal. Clarifies qualifications for a residential care facility administrator license. Declares emergency, effective on passage.

REVENUE: statement issued - no impact.

FISCAL: statement issued - no impact.

BACKGROUND:

In 2015, House Bill 2642 created a Board of Certified Advanced Estheticians within the Health Licensing Office (HLO), which oversees the safe practice of advanced nonablative esthetics and ensures that individuals who are practicing advanced nonablative esthetics are qualified to perform services on the public. In 2019, the Board of Cosmetology revised Oregon Administrative Rules (OARs) with a focus on esthetics scope of practice including use of devices, chemical peels, dermaplaning and client records, and requirements for additional education and training. The revised OARs (Chapter 817) clarified the requirements for the practice of advanced nonablative procedures and use of devices registered with the Food and Drug Administration among licensed Estheticians and Advanced Estheticians.

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Opiate withdrawal is an acute state caused by cessation or dramatic reduction in opiate drug use. Symptoms of opiate withdrawal can include sweating, shaking, headache, drug craving, nausea, vomiting, abdominal cramping, diarrhea, inability to sleep, confusion, agitation, depression, anxiety, and other behavioral changes. A number of prescription drugs can help manage opiate withdrawal symptoms.

According to the Oregon Office of Economic Analysis, the share of Oregon's population that is 75 years or older will increase from around 6-7 percent of the overall population today to 12 percent in 2040. As Oregon's population ages, it is expected that that demand for community-based care will also increase.

House Bill 2970 clarifies scope of practice for estheticians, requires insurers to cover specified medications without prior authorization, and establishes a Senior Emergency Medical Services Innovation Program and Advisory Council.