

FISCAL IMPACT OF PROPOSED LEGISLATION

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

Measure: HB 2528 - A12

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

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Measure Description:

Directs the Oregon Board of Dentistry to issue a dental therapist license to a qualified applicant. Requires a dental therapist applicant to complete a dental therapy education program that is part of a dental pilot project prior to January 1, 2025. Requires completion of an accredited dental therapy education program for licensure as dental therapist beginning January 1, 2025.

Government Unit(s) Affected:

Department of Administrative Services (DAS), Oregon Judicial Department (OJD), Oregon Health Authority (OHA), Oregon Board of Dentistry (OBD), Emergency Board

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

House Bill 2528, as amended by -A12 amendments, limits dental therapy licensure by the Oregon Board of Dentistry (OBD) to graduates of a dental therapy education program that is part of a dental pilot project from January 1, 2022 until January 1, 2025. As of January 1, 2025, dental therapy licensure will be limited to graduates of a dental therapy education program that is accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor organization, and approved by OBD by rule. OBD may require an applicant to pass examinations to obtain a license to practice dental therapy. However, dental therapy examinations may not be affiliated with, or administered by, a dental pilot project or dental therapy education program. The measure allows OBD to impose various nonrefundable fees related to applications for licensure, examinations, biennial dental therapy licenses, license renewal fees, permits and delinquencies. A dental therapist must annually submit a signed copy of the collaborative agreement to OBD. The measure requires a dental therapist to purchase and maintain liability insurance as OBD determines to be sufficient. OBD must adopt administrative rules necessary to administer the measure and may take any action necessary prior to the measure's various operative dates. The measure takes effect 91 days after adjournment *sine die*.

Oregon Health Authority

The measure would have a minimal fiscal impact on OHA. The measure may impact the Health Policy and Analytics Division (HPA), which would add a category of licensed oral health professionals, covered under the statutes of the Healthcare Workforce Reporting Program. Dental therapists would be required to complete a survey upon renewing their licenses, just as dentists and dental hygienists currently do. The measure may increase revenues slightly, though it would not be until after the period of initial licensure in the 2021-23 biennium. HPA would be required to modify the Intergovernmental Agreement with OBD, which would fall within the normal scope of its work program. Additionally, HPA may need to revise its administrative rules to include dental therapists in the definition of health professionals eligible to receive financial incentives under the Health Care Provider Incentive Program. However, all of this work can be absorbed with existing staff and resources.

The measure also may impact the work of the Health Systems Division (HSD). The measure is anticipated to increase utilization of services to primarily underserved populations. The number of this population is unknown and therefore the amount of increased utilization for the procedures performed by dental therapists is currently

unknown. The number of dental professionals who would seek dental therapy licensure is also unknown. Although the fiscal impact depends on these factors, the fiscal impact to HSD is anticipated to be minimal. Additionally, the Medicaid Management Information System would need to be modified to add this provider type for reimbursement; however, this work can be absorbed with existing staff and resources.

Oregon Board of Dentistry

The measure would have a minimal fiscal impact on OBD. To implement the measure, OBD will need to create a new committee to draft rules relating to dental therapist licensure, education and supervision. Any committee recommendations would need to be reviewed by OBD and its rules oversight committee. The rules would then be subject to public notice and comment, in accordance with OBD's rulemaking processes. In addition to forming this committee, OBD would need to create forms and instructions for applications; create applications and systems to track collaborative agreements; update the OBD website and database; and notify stakeholders and interested parties of the new statutory framework and rule changes.

OBD estimates that the number of new dental therapists over the next two to four years would be small, which will allow OBD time to implement these new rules, policies, forms and communications. At present, the measure would have a minimal fiscal impact on OBD's biennial budget, as OBD would incur an estimated cost of \$50,000 Other Funds in the 2021-23 biennium to implement these changes. However, depending on the number of dental therapists that become licensed over the next few years, OBD may need additional budgetary resources.

Oregon Judicial Department

The measure would have a minimal fiscal impact on OJD.

Emergency Board

The measure would have no fiscal impact on the Emergency Board. While there is no fiscal impact to the Emergency Board, the provision requiring a report to the Emergency Board prior to adopting fees and charges seems to contemplate that action relating to OBD would occur only during an interim period when the Emergency Board is meeting. The measure does not appear to contemplate a role for the Joint Committee on Ways and Means to play in this process. In addition, it is unclear what the report on fees and charges to the Emergency Board is intended to accomplish.

Department of Administrative Services

The measure would have no fiscal impact on DAS.