



MEMORANDUM

Prepared for: Oregon State Senate
Date: January 21, 2022
By: Leslie Porter, Analyst
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

OREGON EDUCATORS BENEFIT BOARD

The Governor has appointed the following individuals to the Oregon Educators Benefit Board subject to Senate confirmation.¹

New Appointees

Enrique Farrera of Portland
Michelle DuBarry of Portland

Reappointee

Bill Graupp of Aurora

Term

Farrera: March 1, 2022 – June 30, 2024
DuBarry: March 1, 2022 – February 28, 2026
Graupp: October 1, 2021 – September 30, 2025

Appointment/Confirmation Authority

[ORS 243.862 \(2021\)](#)

Statement of Economic Interest²

Not required.

Statutory Requirements³

The board consists of at least 10 members appointed by the Governor and subject to confirmation by the Senate, including:⁴

- two members representing district boards (**GRAUPP**; LUISI);
- two members representing district management (RIEKE-SMITH; STEWART);
- two members representing nonmanagement district employees from the largest labor organization representing district employees (**FARRERA**; YOUNG);
- one member representing nonmanagement district employees from the second largest labor organization representing district employees (MILLER);

¹ [Or. Const. art. III sect. 4](#), [ORS 171.562 and 171.565 \(2021\)](#).

² [ORS 244.050 \(2021\)](#).

³ [ORS 182.100 \(2021\)](#) for affirmative action policy and [ORS 236.115 \(2021\)](#) for diversity criteria.

⁴ [ORS 243.862 \(2021\)](#).

- one member representing nonmanagement district employees who are not represented by labor organizations (**DUBARRY**);
- two members with expertise in health policy or risk management (**BROWN**; **SYLTEBO**);
- up to three members representing participating local government management (**SCOFIELD**); and
- up to three members representing participating local government nonmanagement employees (**VACANT**).

Members serve four-year terms and at the pleasure of the Governor. The board must select one of its members as chairperson and another as vice chairperson for such terms and with duties and powers necessary for the performance of the functions of such offices as the board determines. A majority of the members of the board constitutes a quorum for the transaction of business.

Duties and Authority

The goal of the board is to provide high-quality health, dental, and other benefit plans for eligible employees at a cost affordable to the districts and local governments, the employees, and the taxpayers of Oregon.⁵ The board must:⁶

- contract for benefit plans best designed to meet the needs and provide for the welfare of eligible employees, the districts, and local governments;
- adopt rules for the conduct of its business and for carrying out its statutory authority;
- study all matters connected with the provision of adequate benefit plan coverage for eligible employees on the best basis possible with regard to the welfare of the employees and affordability for the districts and local governments;
- design benefits, prepare specifications, invite bids, analyze carrier responses to advertisements for bids, and take actions necessary to award contracts for health and dental benefit plan coverage of eligible employees;
- employ such personnel as are required to perform the functions of the board;
- impose a surcharge in an amount determined by the board on an eligible employee who arranges coverage for the employee's spouse or dependent if the spouse or dependent has access to medical coverage as an employee in another health benefit plan offered by the board or the Public Employees' Benefit Board;
- when appropriate, provide options under which an eligible employee may arrange coverage for family members under a benefit plan;
- use payment methodologies in self-insured health benefit plans designed to limit the growth in per-member expenditures for health services to no more than 3.4 percent per year, and adopt policies and practices designed to limit the annual increase in premium amounts paid for contracted health benefit plans to 3.4 percent;
- as frequently as is recommended as a commercial best practice by consultants engaged by the board, conduct an audit of the health benefit plan enrollees' continued

⁵ [ORS 243.864 \(2021\)](#).

⁶ [ORS 243.864 and 243.866 \(2021\)](#).

eligibility for coverage as spouses or dependents or any other basis that would affect the cost of the premium for the plan; and

- if the board spends less than 12 percent of its total medical expenditures in self-insured health benefit plans on payments for primary care, implement a plan for increasing the percentage of total medical expenditures spent on payments for primary care by at least one percent each year and report annually to the Legislative Assembly on any plan implemented to this end.

The board may:⁷

- adopt rules to determine the terms and conditions of eligible employee participation in and coverage under benefit plans;
- retain consultants, brokers, or other advisory personnel when necessary;
- approve more than one carrier for each type of benefit plan offered;
- provide an option of additional coverage for eligible employees and family members at an additional premium;
- contract with carriers to provide other benefit plans including, but not limited to, insurance or other benefits based on life, supplemental medical, supplemental dental, supplemental vision, accidental death, or disability insurance plans;
- make available to eligible employees and family members one or more fully insured long term care benefit plans;
- provide and administer flexible benefit plans under which eligible employees may choose among taxable and nontaxable benefits as provided in the federal Internal Revenue Code;
- employ whatever means are reasonably necessary to carry out the purposes of the board, including, not limited to, authority to self-insure and to seek clarification, amendment, modification, suspension, or termination of any agreement or contract; and
- terminate the participation of a district or a local government in a benefit plan if, within three months, the district or local government fails to perform an action required by law.

⁷ [ORS 243.864 to 243.878 \(2021\)](#).

Executive Appointments Board Roster

Educators Benefit Board, Oregon

Agency: Oregon Health Authority
Authorization: ORS 243.862; HB 2279
Members: Min: 12 Max: 12
Term Length: 4 years Limit: 2
Senate confirmation required? Yes

Policy Area: Education

Board Contact:

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Current Appointments:

Member Name and Address (Alphabetical)

Geoffrey N Brown 2(f) Health Policy Term(s): 10-01-2019 - 09-30-2023 10-01-2015 - 09-30-2019	Position Number: 6
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Michelle DuBarry Term(s): 03-01-2022 - 02-28-2026	Position Number: 1
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Enrique Farrera Term(s): 03-01-2022 - 06-30-2024	Position Number: 5
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Bill Graupp 2(a) District Board Representative Term(s): 10-01-2021 - 09-30-2025 10-01-2017 - 09-30-2021	Position Number: 3
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Bonnie Luisi 2(a) District Board Representative Term(s): 09-23-2019 - 09-22-2023	Position Number: 4
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Susan R Miller 2(d) Second Largest Labor Organization Term(s): 12-17-2018 - 12-16-2022	Position Number: 8
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Sue Rieke-Smith, Ed.D. 1(b) District Management Representative Term(s): 03-01-2019 - 02-28-2023	Position Number: 10
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JJ Scofield 2(a) Local Government Management Term(s): 10-01-2019 - 09-30-2023 10-01-2015 - 09-30-2019	Position Number: 12
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Executive Appointments Board Roster

Educators Benefit Board, Oregon

Member Name and Address (Alphabetical)

Policy Area: Education

Robert C Stewart
2(b) District Management Representative
Term(s): 10-01-2016 - 09-30-2020
06-01-2014 - 09-30-2016

Position Number: 9

Thomas F Syltebo
2(f) Health Policy
Term(s): 06-01-2020 - 05-31-2024
06-01-2016 - 05-31-2020

Position Number: 2

Robert W Young
1(c) Largest Labor Organization Representative
Term(s): 04-01-2019 - 03-31-2023
05-25-2018 - 03-31-2019

Position Number: 7

Vacant Appointments:

Pos	Member	Appointed By	Term Begin	Term End
11	Antonio Gisbert	Governor	09/25/2017	09/24/2021
11	Jaimie A Sorenson	Governor	09/19/2014	09/18/2018
	Labor; 2(d) Local Government Representative			