



MEMORANDUM

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

PUBLIC EMPLOYEES' BENEFITS BOARD

The Governor has appointed the following individuals to the Public Employees' Benefits Board subject to Senate confirmation.¹

New Appointees

Greg Clouser of Umatilla
Andie Fultz of Tualatin

Term

All nominees: March 1, 2022 – February 28, 2026

Appointment/Confirmation Authority

[ORS 243.061 \(2021\)](#)

Statement of Economic Interest²

Required for chairperson.

Statutory Requirements³

The board consists of at least eight voting members and two members of the Legislative Assembly as nonvoting advisory members.⁴ Two of the voting members are ex officio members and six are appointed by the Governor and subject to Senate confirmation. Appointees serve four-year terms and at the pleasure of the Governor.

One voting member must be the Director of the Oregon Health Authority or a designee of the director (VANDEHEY).

One voting member must be the director of the Health Policy and Analytics Division of the Oregon Health Authority or the director's designee (HARGUNANI).

The Governor appoints six voting members, including:

- Two management employees from areas of state government other than the Oregon Health Authority (HENDRICKS, NASS);

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 243.061 \(2021\)](#).

- Two persons from the largest employee representative unit (MARTIN, PARKMAN);
- One person from the second largest employee representative unit (**CLOUSER**); and
- One person from representable employees not represented by employee representative units noted above (**FULTZ**).

The President of the Senate appoints one member of the Senate (VACANT).

The Speaker of the House of Representatives appoints one member of the House of Representatives (SALINAS).

If the governing body of a local government elects to participate in a benefit plan offered by the board, the Governor must appoint two voting members, one of whom represents local government management and one of whom represents local government nonmanagement employees. The Governor appoints two additional voting members for every additional 25,000 eligible employees of a local government or local governments enrolled in a benefit plan offered by the board. A maximum of three members may be appointed to represent local government management and a maximum of three members may be appointed to represent local government nonmanagement employees.

The board must select one of its appointed voting members as chairperson and another appointed as vice chairperson, for terms and with duties and powers necessary for the performance of the functions of those offices as the board determines.

Duties and Authority

The board contracts for and administers benefits for eligible state employees.⁵ The board must:⁶

- prescribe rules for the conduct of its business and for carrying out reimbursement payments to hospitals;
- study all matters connected with the providing of adequate benefit plan coverage for eligible employees on the best basis possible with relation both to the welfare of the employees and to the state and local governments;
- design benefits, devise specifications, analyze carrier responses to advertisements for bids and decide on the award of contract;
- employ such personnel as are required to perform the functions of the board;
- contract for a health benefit plan or plans best designed to meet the needs and provide for the welfare of eligible employees, the state, and the local governments;
- establish standards of eligibility for retired officers or employees to participate in specified plans; and
- manage the balance in the Public Employees' Benefit Account.

⁵ Public Employees' Benefit Board, *About Us*, https://www.oregon.gov/oha/PEBB/Pages/About_Us.aspx (last visited July 29, 2020).

⁶ [ORS 243.061 to 243.302 \(2021\)](#).

The board may:⁷

- make rules to determine the terms and conditions of eligible employee participation and coverage;
- retain consultants, brokers, or other advisory personnel when necessary;
- employ reasonable means necessary to administer its provisions;
- adopt rules for the administration of the Public Employees' Revolving Fund;
- allow self-pay groups that meet specified criteria to participate in benefit plans available to eligible employees;
- provide, administer, and maintain flexible benefit plans under which eligible employees may choose among taxable and nontaxable benefits;
- contract with carriers to provide at the expense of participating eligible employees and with or without state or local government participation for coverage, including but not limited to, insurance or other benefit based on life, supplemental medical, supplemental dental, optical, accidental death, or disability insurance plans;
- make available one or more fully insured long term care insurance plans; and
- group retired state employees and state employees who are not retired for the purpose of entering into contracts for health insurance coverage.

⁷ [ORS 243.061 to 243.302 \(2021\)](#).

Executive Appointments Board Roster

Public Employees' Benefit Board

Agency: Oregon Health Authority
Authorization: ORS 243.061; HB 2279
Members: Min: 10 Max: 10
Term Length: 4 years Limit: 2
Senate confirmation required? Yes

Policy Area: Health

Board Contact:

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Current Appointments:

Member Name and Address (Alphabetical)

Greg Clouser Employee Rep / AFSCME Term(s): 03-01-2022 - 02-28-2026	Position Number: 5
Dana E Hargunani Term(s):	Position Number: 2
Kim Harman Employee Rep / AFSCME Term(s): 09-25-2017 - 09-24-2021	Position Number: 5
Kimberly L Hendricks Employer Representative Term(s): 05-04-2020 - 05-03-2024 06-01-2017 - 05-03-2020	Position Number: 8
Betsy Johnson, Senator Senate President Appointment; non-voting Term(s):	Position Number: 10
Siobhan H Martin Employee Rep/SEIU Term(s): 03-15-2021 - 03-14-2025 03-15-2017 - 03-14-2021	Position Number: 4
Kate M Nass Employee Representative Term(s): 02-14-2020 - 02-13-2024	Position Number: 1
Shaun W Parkman Employee Rep/OPEU Term(s): 04-01-2019 - 03-31-2023 04-01-2015 - 03-31-2019	Position Number: 3

Executive Appointments Board Roster

Public Employees' Benefit Board

Member Name and Address (Alphabetical)

Policy Area: Health

Mark D Perlman Employee Rep/AFT Term(s): 09-18-2017 - 09-17-2021 10-01-2015 - 09-17-2017	Position Number: 6
Andrea Salinas House Speaker's Appointment, Non-Voting Term(s):	Position Number: 9
Jeremy L Vandehey OHA CFO Term(s):	Position Number: 7