

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 4034 - A**

81st Oregon Legislative Assembly – 2022 Regular Session  
Legislative Fiscal Office

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

Prepared by: Michael Graham  
Reviewed by: Haylee Morse-Miller, Tom MacDonald, Ben Ruef  
Date: February 23, 2022

**Measure Description:**

Deletes requirement that coordinated care organization collect specified data from members and submit data to Oregon Health Authority.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Oregon Board of Pharmacy (OBOP), Oregon Medical Board (OMB)

**Summary of Fiscal Impact:**

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

**Analysis:**

House Bill 4034 - A makes several technical fixes related to collection of health data, including allowing the Oregon Health Authority (OHA) to use data collected for any purpose related to its duties; removing coordinated care organizations (CCO) from the requirement to collect data on race, ethnicity, preferred spoken and written languages, disability status, sexual orientation and gender identity; allowing CCOs, health care providers, and health care insurers to access data collected by OHA if it is for a member or patient of the CCO, provider or insurer; and extending the sunset on the release of COVID-19 data collected by OHA.

This measure also allows a pharmacist, pharmacy technician, or intern to give pseudoephedrine or ephedrine over the counter to a person 18 years of age or older if they can provide valid government issued photo identification. The measure changes the requirements for recording dispensing of a biological product by a pharmacy or pharmacist, which sunset in January 2026. The measure changes the definition of “telemedicine” and authorizes a physician or physician assistant to use telemedicine to provide health care services. A pharmacy board is prohibited from adopting standards for telepharmacy that are more restrictive than in person pharmacy services. The measure also authorizes a pharmacist to delegate, and a pharmacy technician to perform under supervision, a physical verification of a drug, drug dosage, device, or product selected from a pharmacy’s electronic pharmacy inventory system. Additionally, the measure revises the distribution of a \$2.6 million General Fund appropriation to OHA.

The measure takes effect on passage.

**Oregon Health Authority**

The measure includes permissive language allowing OHA to implement reproductive health services and education programs and to provide funding for reproductive health services and education in the state. This provision states that any such services are subject to available funds and is therefore currently anticipated to have a minimal or no fiscal impact. The measure also revises the distribution of an existing \$2.6 million appropriation to OHA established in HB 2591 (2021) for grants related to health care in schools. These changes remain within the appropriated amount and have no fiscal impact.

**Other agencies**

The measure is anticipated to have a minimal fiscal impact on the Oregon Board of Pharmacy and the Oregon Medical Board.