

Legislative Fiscal Office

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Joint Committee on Ways and Means

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To: Human Services Subcommittee

From: Steve Robbins, Legislative Fiscal Office

Date: April 10, 2023

Subject: HB 2002 – Relating to health
Work Session Recommendations

HB 2002 declares an individual's decision regarding their reproductive health as a fundamental right and provides clarification as to the extent of these rights and options available when these rights are violated.

The measure directs student health centers operated by an institution of higher education to provide reproductive health services and submit plans and reporting with guidance from the Oregon Health Authority (OHA). The Student Health Center Reproductive Health Grant Fund is established, and OHA is directed to provide grants to public institutions of higher education from defined funding sources.

Private health benefit plan carriers are restricted from denying or limiting coverage for gender-affirming treatment or issuing adverse benefit determinations with exceptions. Carriers must satisfy network adequacy standards relative to gender-affirming treatment providers and ensure treatment services are accessible to all enrollees without unreasonable delay. The Department of Consumer and Business Services (DCBS) is directed to evaluate carrier compliance, adopt rules, and report back to the Legislature on implementation of provisions in the bill.

OHA and coordinated care organizations (CCO) are similarly restricted from denying or limiting coverage for gender-affirming treatment to medical assistance recipients (Medicaid enrollees) and OHA is required to ensure payment for dispensing prescription contraceptives to medical assistance recipients.

A Federal Qualified Health Center Expansion Pilot Project is established in the Higher Education Coordinating Commission and administered by the Office of Rural Health to provide grants to two health centers located in rural and medically underserved areas of the state to support expanded reproductive health services to individuals with limited access to services.

Subject to available funds, OHA shall implement and provide funding for reproductive health services and education in the state, and the measure provides protections for providers and individuals relative to malpractice insurance and licensing and addresses issues of confidentiality.

The estimated fiscal impact for 2023-25 is \$6,199,724 total funds (\$4,486,548 General Fund) and 3 positions (2.00 FTE). This represents contract costs for a physician specialist to assist with gender affirming care services, one full-time position (0.75 FTE) to facilitate and coordinate the student health center requirements, and 2 limited duration positions (1.25 FTE) to manage the grants to student health centers. Also included is one-time funding for the Student Health Center Reproductive Health Grant Fund and Qualified Health Center Expansion Pilot Project.

Recommended Changes (-A16 amendment)

- Changes the appropriation for the Federal Qualified Health Center rural health pilot program to the Higher Education Coordinating Commission for allocation to the Office of Rural Health in the amount of \$2,321,221.
- Establishes a General Fund appropriation of \$1.6 million to the newly established Student Health Center Reproductive Health Grant Program.
- Establishes Other Funds limitation of \$1.6 million for funds dispersed from the Student Health Center Reproductive Health Grant Program. This limitation is established only as a means of dispersing the General Fund deposited into the fund and does not represent additional spending.
- Establishes a General Fund appropriation to fund the support positions for the Student Health Center Reproductive Grant Program and the General Fund portion of a contract doctor to review gender affirming services in the amount of \$566,327.
- Establishes Federal Funds limitation for the federal match of the contract doctor in the amount of \$113,176.

LFO recommends adoption of the -A16 amendment.

MOTION: I move adoption of the -A16 amendment to HB 2002. (VOTE)

Final Subcommittee Action

LFO recommends that HB 2022, as amended by the -A16 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move HB 2002, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____