

## Legislative Fiscal Office

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## Joint Committee on Ways and Means

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Tom MacDonald, Deputy Legislative Fiscal Officer (Budget)  
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

**To:** Human Services Subcommittee

**From:** Steve Robbins, Legislative Fiscal Office

**Date:** May 30, 2023

**Subject:** SB 5526 - Relating to state financial administration  
Work Session Recommendations

SB 5526 is the fee ratification bill for the Oregon Health Authority (OHA). The measure provides the enabling legislation necessary for fees adopted by these agencies through administrative rule and approved by the Department of Administrative Services (DAS). State law (ORS 291.055) requires all new agency fees or fee increases adopted between regular sessions of the Legislative Assembly be authorized by enabling legislation or rescinded upon adjournment of the next regular session.

Four different programs within OHA are establishing or increasing fees.

### Oregon Environmental Laboratory Accreditation (ORELAP)

ORELAP accredits drinking water, environmental, cannabis, and psilocybin labs based on national standards to ensure labs are following federal and state regulations. Most fees for ORELAP have not increased for in-state labs since 1999. The fees were developed through a series of time studies, market analysis, and current and future projected expenses and these fees cover the cost of running the program.

### Newborn Bloodspot Screening (NBS)

NBS is a coordinated public health system to identify infants with medical conditions requiring early treatment to prevent death or disability and improve lifelong health outcomes. The program screens approximately 66,000 infants per year and identifies and refers for treatment more than 100 babies with life-altering medical conditions annually. Two new conditions were added to the NBS panel in the last year and fees were increased to cover the cost of running the program - which includes screening, education, outreach, and clinical services.

### Oregon Psilocybin Services (OPS)

OPS administers the work directed by ORS 475A, the regulatory statute for psilocybin services in Oregon. OPS is a fee-based section that cannot operate without licensing fees. Ratified fees in SB 5526 apply to psilocybin facilitators, manufacturers, service centers, laboratories, and worker permits. Estimates were based on the Community Interest Survey to project how many licenses would be issued. License fees offer reduced license fees for non-profits, veterans, and people who receive certain types of public assistance.

**Health Care Market Oversight (HCMO)**

The HCMO program ensures that health care business deals support statewide goals related to health equity, cost, access, and quality. After a review, HCMO can approve, approve with conditions, or disapprove a transaction. HB 2362 (2021) directed HCMO to collect fees from companies proposing business deals that are subject to HCMO review. Fee amounts differ based on the type of review and the revenue of the companies involved in the business deal.

**Recommended Changes**

The -1 amendment corrects a drafting error in the introduced bill by changing the civil penalty from a specific amount to a range as established in OAR 333-33-6020. This amendment has no impact on limitation requests included in OHA’s primary budget bill (SB 5525) for these programs.

LFO recommends adoption of the -1 amendment.

**MOTION: I move adoption of the -1 amendment to SB 5526. (VOTE)**

**Final Subcommittee Action**

LFO recommends that SB 5526, as amended by the -1 amendment, be moved to the Ways and Means Full Committee.

**MOTION: I move SB 5526, as amended, to the Full Committee with a do pass recommendation. (VOTE)**

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_