2023 Legislative Session Report



OHSU advocates for the health and well-being of all Oregonians

Oregon Health & Science University is proud to be a public corporation of the State of Oregon, dedicated to its multifaceted public missions. With the support of the Oregon Legislature and Oregon Governor Tina Kotek, OHSU works every day to advance those missions in service to improving the health and well-being of every Oregonian.

In 2023, OHSU prioritized preservation of public funding to the institution during the legislative session. While early forecasts suggested a looming recession and necessary cuts to current service levels, continued strong economic indicators left legislators with significant funding that provided ample opportunity for continued funding at current levels as well as investment in new programs.

The Oregon Legislature funded OHSU at its current service level, supporting the Schools of Medicine, Nursing, Dentistry, Office of Rural Health and Area Health Education Centers, Child Development and Rehabilitation Center, Oregon Poison Center and OHSU 30-30-30. In addition, the legislature increased the base funding for the Oregon Poison Center by \$900,000, which will help the center maintain life-saving services at the time when federal funding is decreasing.



Additionally, the legislature invested in a number of initiatives at OHSU. Those included:

- \$5.4 million for the Oregon Behavioral Health Coordination Center to continue development of technology to monitor behavioral health space and support staff to help connect patients to services.
- \$2 million in ongoing funding for the Oregon Child Integrated Dataset (OCID). OCID is a comprehensive integrated dataset, representing approximately three-quarters of the state's children, that helps federal, state and local policymakers shape better policy decisions by providing them with objective, rigorously analyzed data.
- \$1 million for the Oregon Perinatal Collaborative (OPC) which is working to decrease maternal and infant mortality and morbidity with a focus on equity and decreasing disparities in maternal and infant health outcomes in urban and rural areas across Oregon.



OHSU was also proud to partner with other organizations and individuals during the legislative session to advance policies that advance the institutional missions of health, education and research.

As a member of Oregon House Speaker Dan Rayfield's workgroup on reproductive rights, OHSU helped advocate for House Bill 2002, which increased protections for providers of abortion and gender affirming care, and expanded mandated coverage of gender affirming care to some commercial insurance plans. Members of OHSU's Transgender Health Program and Center for Women's Health were instrumental in the legislation's passage.

Together with the Oregon Nurses Association, Service Employees International Union Local 49, Oregon Association of Hospitals and Health Systems, OHSU worked to overhaul Oregon's hospital staffing laws. House Bill 2697 seeks to reduce many of the administrative burdens hospitals currently struggle with and builds partnerships that will ensure access to care for patients in the future. The legislation gives professional, technical, and service health care workers a stronger voice in the creation of staffing plans, and, in certain hospital units, establishes enforceable nurse-to-patient ratios, with the goal of preventing staff burnout and returning nurses at the bedside. Oregon will be first in the nation with a ratio for certified nursing assistants as well.

These accomplishments are just a few from a legislative session that among many accomplishments was notable for the work done to improve and protect health care access, invest in training the next generation of health care professionals, and retain the health care providers Oregon needs to ensure quality health care is available across the state. Now and into the future, OHSU is dedicated to serving the people of Oregon, no matter where they live, and doing what it can to make Oregon a national leader in health and science innovation for the purpose of improving the health and well-being of Oregonians and beyond.



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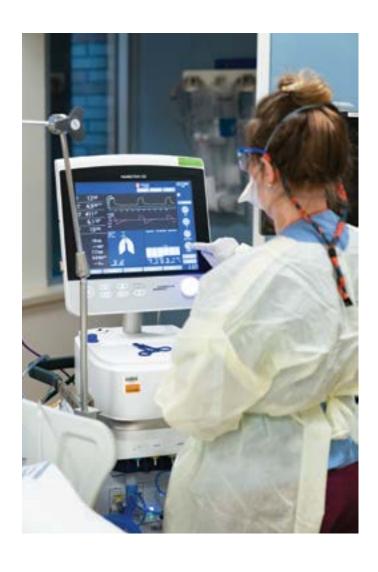
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Budget

HB 5025



Higher Education Coordinating Commission agency budget

House Bill 5025 is the budget bill for the Higher Education Coordinating Commission (HECC), and includes OHSU's general fund appropriation, which funds the Schools of Medicine, Dentistry, and Nursing, 30-30-30, the Office of Rural Health and Area Health Education Centers, the Child Development and Rehabilitation Center, and the Oregon Poison Center.

In anticipation of a tight state budget, the Governor's Recommended Budget called for many agencies and programs, including higher education and OHSU, to receive a 2.5% reduction from full current service level (CSL) funding. This is where the Oregon Legislature started its budget work in the 2023 legislative session, and the state government relations team focused its advocacy efforts on getting OHSU's education appropriations to full current service level funding as well as some critical policy option packages to continue work already happening.

In May 2023, Dr. Danny Jacobs and Dr. Marie Chisholm-Burns presented OHSU's budget request to the Joint Ways and Means Subcommittee on Education. Dr. Jacobs discussed OHSU's critical partnership with the state of Oregon, the statewide reach of our education and training programs, our continued efforts to support and care for rural and underserved communities across Oregon, and our commitment to diversity and inclusivity in all we do.

HB 5025 includes full current service level funding for OHSU. The state's investment in OHSU will allow the institution to continue offering high-quality medical training to Oregon's future health care providers.

In addition to receiving CSL-level funding, OHSU's state appropriation includes funding for several specific programs:

The Oregon Poison Center received a \$900,000 increase to its base budget to fill the gap left by declining federal funding sources. The Center has seen a decline in the funding it receives through the federal matching funds available from the State Children's Health Insurance Program (SCHIP). While the SCHIP decrease has been offset somewhat over the last two years by one-time funding from other federal sources, such as the federal CARES Act, the Center projects a funding shortfall of \$900,000 for the 2023-25 biennium - funding that is required for it to maintain its current level of service.



The Oregon Child Integrated Dataset (OCID) received \$2 million on an ongoing basis, which means in future biennia the program will be considered part of the state's base budget and as such can be allocated CSL increases. OCID is a comprehensive integrated dataset, representing approximately three-quarters of the state's children, that helps federal, state and local policymakers shape better policy decisions by providing them with objective, rigorously analyzed data.

The Oregon Behavioral Health Coordination Center (OBCC) received \$5.4 million, of which \$1.4 million is one-time and \$4 million is ongoing.

The Oregon Perinatal Collaborative (OPC) received \$1 million (one-time) for decreasing maternal and infant mortality and morbidity with a focus on equity and decreasing disparities in maternal and infant health outcomes in urban and rural areas across Oregon.

The following chart indicates the exact amounts allocated to OHSU in each area of its budget, and it can be found in the Legislative Fiscal Office's budget report (beginning on page 19) which was approved alongside HB 5025.

HB 5025 also invested state resources in other key higher education areas:

- The Public University Support Fund (PUSF), which supports the educational and operational expenses at the seven four-year public universities, is funded at \$1 billion - an increase of \$98 million from the 2021-23 budget.
- The Community College Support Fund (CCSF), which supports the education and operations expenses at the 17 community colleges, is funded at \$800 million - an increase of \$77.5 million from the 2021-23 budget.

Effective date: July 1, 2023



OHSU 2023-25 current service level budget detail

	General funds	Other funds	Other funds NL	Total funds
Programs				
School of Medicine	29,201,908			29,201,908
School of Nursing	25,254,583			25,254,583
School of Dentistry	11,835,367			11,835,367
Office of Rural Health/Area Health Education Centers	5,174,110			5,174,110
Child Development and Rehabilitation Center	9,389,126			9,389,126
Oregon Poison Center	3,004,522			3,004,522
Healthcare Workforce 30-30-30 Initiative	41,680,000			41,680,000
Total programs	129,992,377			129,992,377
Debt service				
Oregon Opportunity Program - XI-L Debt Service		7,328,750		7,328,750
Oregon Knight Cancer Institute - XI-G Debt Service	23,575,130			23,575,130
Legacy Debt - XI-F(1) and XI-G Debt Service			3,441,830	3,441,830
Total debt service	23,575,130	7,328,750	3,441,830	34,345,710
Total OHSU 2023-35 CSL	153,567,507	7,328,750	3,441,830	164,338,087



Oregon Health Authority (OHA) agency budget

Senate Bill 5525 makes a general fund appropriation to OHA for its biennial expenses.

The budget maintains benefits for Oregon Health Plan enrollees and funds annual health care inflation at 3.4%. Importantly, it does not significantly increase the amount of state general fund supporting the Medicaid program and instead relies on other funds like provider taxes and the OHSU IGT Partnership Program to maintain support for OHP.

For OHSU, the budget reflects maintaining the current structure of state support to the institution from the IGT Partnership Program and leveraging significant federal funds for the state's Medicaid program.

Several other state investments of note in SB 5525 include:

- \$22.1 million for Medicaid eligibility redeterminations.
- \$52.4 million for temporary expansion of the Oregon Health Plan, anticipating a new Basic Health Plan in July 2024.
- \$35.5 million to continue policy development of the Basic Health Program and temporary Medicaid eligibility expansion, including a contract for a call center for the Oregon Health Insurance Marketplace.
- \$138.5 million for the Medicaid Waiver primarily related to continuous enrollment, while also including the coverage of social determinates of health that exclusively utilize federal funds until 2027.
- \$462 million completes implementation of the Healthier Oregon Program providing coverage to Oregonians regardless of citizenship status.
- \$30 million for public health modernization

Significant behavioral health investments:

- \$146 million to maintain community behavioral health rate increases from 2022.
- \$30 million in investments to local communities and the Oregon State Hospital to address challenges with aid-and-assist patients, expand transitional case management, and to assist with the care of those civilly committed
- \$15 million for the construction of new substance use disorder bed capacity

- \$12 million to expand/diversify the behavioral health workforce through the Healthcare Provider Incentive Program. (\$6 million General Fund; \$6 million Other Funds)
- \$3.1 million for programming to increase the child psychiatrist and developmental pediatrician workforces focused on children's behavioral health needs.
- Expansion of the 9-8-8 system and mobile crisis response:
 - \$13.2 million general fund
 - \$32.9 million other funds; HB 2757 (2023) creates a new tax on telephone lines of \$0.40/line that will generate revenue for the program.

Effective date: July 1, 2023

HB 5006



Capital construction

House Bill 5006 provides six-year expenditure limitation for capital construction projects. Projects that exceed \$1 million for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishings, and equipping of building and facilities are categorized as capital construction projects.

Oregon State Hospital projects:

- \$5 million in Q bonds to remodel a single unit at the Junction City facility to accommodate a complex patient.
- \$3 million in Q bonds to replace the programmable logic controller system with software that integrates with access controls, security cameras, recording videos, emergency door release, entry door, sally port and hospital duress systems.

HB 5030

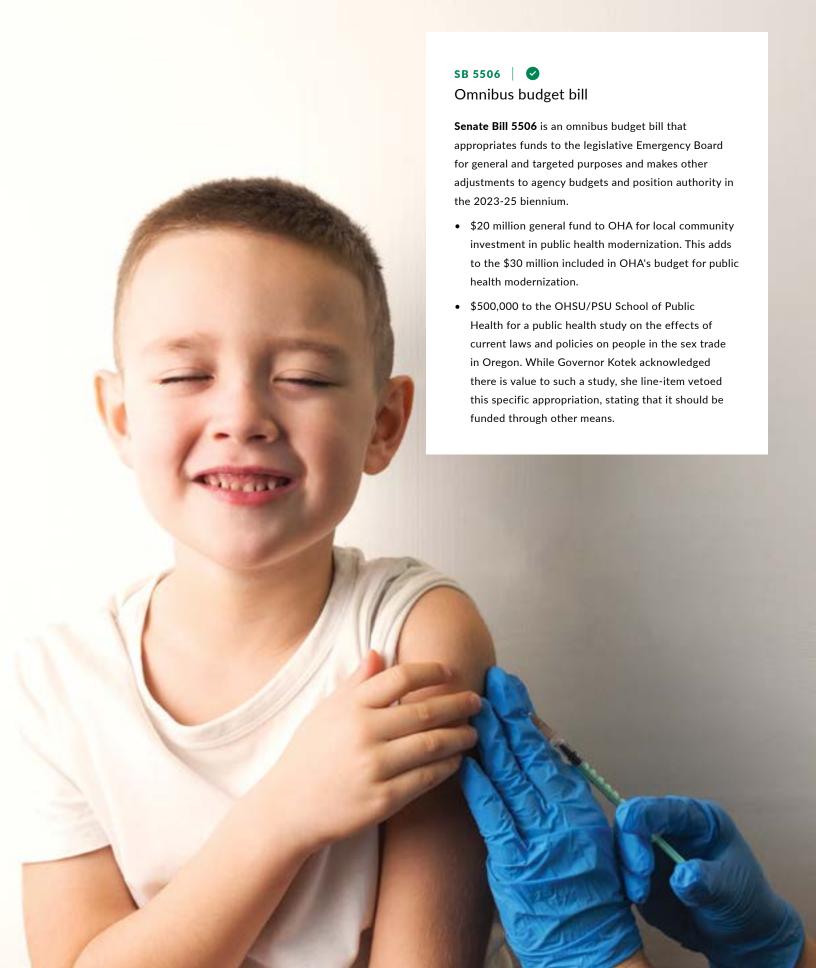


Lottery bond authorization

House Bill 5030 authorizes the issuance of lottery revenue bonds for specified projects.

OHA lottery bond:

• \$50 million to build new community acute psychiatric facility capacity.





Policy

Benefits and labor

HB 2296



Reemployment for retired PERS members

House Bill 2296 makes permanent provisions allowing retired members of PERS to be re-employed by participating public employer for unlimited number of hours without reduction in pension benefits.

Effective date: January 1, 2024

HB 2697



Hospital staffing

House Bill 2697 gives professional, technical, and service health care workers a stronger voice in the creation of staffing plans, and, in certain hospital units, establishes enforceable statutory nurseto-patient ratios that we hope will prevent staff burnout and return nurses to the bedside. Oregon will be first in the nation with a ratio for certified nursing assistants as well. The bill also reduces many of the administrative burdens hospitals currently struggle with and builds partnerships that we hope will help ensure access to care for patients in the future.

Effective date: September 1, 2023

HB 2865



Increased active military leave for public employees

House Bill 2865 increases military leave of absence to which public employee who is a member of National Guard, National Guard Reserve or reserve component of Armed Forces of the United States or of United States Public Health Service is entitled to 21 workdays.

Effective date: January 1, 2024





Pay equity bonus exemptions

Oregon's pay equity law makes it unlawful for an employer to pay any employee at a rate greater than other employees of a protected class for work of a comparable character. In 2021, the Legislative Assembly passed HB 2818, temporarily exempting hiring and retention bonuses from the definition of "compensation" for purposes of the pay equity law.

House Bill 3205 would have codified temporary rules passed during the pandemic that allowed employers to provide retention bonuses if they did not discriminate based on protected class. While the bill came through the House of Representatives with broad support, the Senate Committee on Labor and Business amended it, removing the policy substance and turning it into a bill to simply study the issue. HB 3205 was left on the cutting room floor of the Senate.

HB 3471 | •



Workers' compensation negotiation agreements

House Bill 3471 makes it an unlawful employment practice for employer to enter into a settlement or agreement disposing of a workers' compensation claim that is conditional upon an employee entering into a no-rehire agreement, unless the provision is first requested by the employee.

Effective date: July 27, 2023

HB 3493



Minimum wage for on-call shifts

House Bill 3493 requires employers to pay at least minimum wage for on-call shifts for which an employee must remain on or near the employer's premises or cannot use the time for personal purposes. The bill was left in the House Committee on Business and Labor when the legislature adjourned.

SB 418



Temporary disability benefits

Senate Bill 418 allows injured workers with accepted disabling compensable injuries to be compensated for their time away from work to attend their medical or physical therapy appointments by removing the minimum period that an injured worker must be absent from work for medical services before they may receive temporary disability benefits.

Effective date: June 1, 2023



Employee right to refuse dangerous work

Senate Bill 907 allows employees to refuse to perform tasks that could cause them death, serious impairment, or serious injury if there is no reasonable alternative and the employee acts in good faith. This protection is added to ORS 654.062, the anti-retaliation section of the Oregon Safe Employment Act and directs Oregon OSHA to adopt rules in accordance with the federal Occupational Safety and Health Act of 1970.

Effective date: January 1, 2024

SB 999 | •



Family leave law alignment

Senate Bill 999 makes changes to align the Paid Leave Oregon program with the Oregon Family Leave Act (OFLA). The bill aligns definitions of benefit year and family, aligns job protection provisions, and ensures that timelines run concurrently for leave allowed under both laws.

Effective date: June 7, 2023

Campus planning and facilities

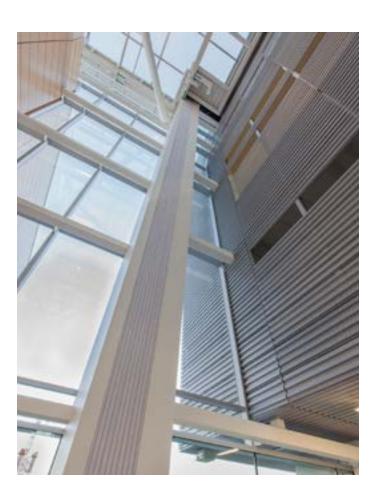
HB 2649 | •



Apprenticeship utilization requirements

House Bill 2649 expands the apprenticeship utilization requirement for public improvement projects in Oregon. It includes the Oregon Department of Transportation, HECC, public universities, and community college districts that use public funds for construction costs. The bill mandates that contractors establish outreach plans for women, minorities, and veterans, and report information on apprentice utilization and diversity goals to the Department of Administrative Services (DAS). Non-compliant contractors may face penalties, with the collected funds going towards expanding apprentice training programs. Additionally, the bill increases the apprentice utilization requirement from 12 to 15% of all work hours on public improvement projects starting from January 1, 2025.

Effective date: September 24, 2023



HB 2713



Local bans on fossil fuel infrastructure

House Bill 2713 asserts that home rule cities and counties have constitutional authority to prohibit or limit fossil fuel use in new buildings or installation of fossil fuel infrastructure. The bill permits cities and counties, whether home rule or not, to prohibit or limit fossil fuel use in new buildings or installation of fossil fuel infrastructure without state preemption. It was referred to the House Committee on Climate, Energy, and Environment where it did not receive a public hearing and died upon adjournment.

HB 2718 X



Renewable hydrogen grants

House Bill 2718 establishes a grant program within the state Department of Energy to provide grants to fund replacement of generators that use diesel or fossil fuels with renewable hydrogenfueled generators. It was referred to the House Committee on Climate, Energy, and Environment where it did not receive a public hearing and died upon adjournment.

HB 3409



Omnibus climate package

House Bill 3409 is an omnibus climate package amending and creating climate laws that address energy use, environment, building performance, environmental justice, land use, fuels, and electric vehicles. The bill includes the resilient buildings language from SB 870.

Effective date: July 27, 2023

SB 411



Medical waste incineration facilities

Senate Bill 411 adds certain hospital, medical, and infectious waste incinerators to the list of facilities at which covered drugs under drug takeback program may be disposed.

Effective date: May 16, 2023



Medical waste incineration emissions

Senate Bill 488 limits the amount of hospital, medical, or infectious waste accepted by a municipal solid waste incinerator to not exceed the amount collected in 2022. It also requires the owner or operator to develop a plan to monitor specified emissions and report findings to the Department of Environmental Quality (DEQ) and the public. On signing SB 488 into law, Governor Kotek issued a letter indicating that the DEQ program, under which municipal solid waste incinerators are regulated, is understaffed, and that special projects will impact the agency's ability to deliver on core work. She asked that the 2024 legislative session include a conversation on providing ongoing monitoring resources to ensure this work is completed.

Effective date: September 24, 2023

SB 518



HB 2649



Apprentice utilization requirements

Senate Bill 518 requires public institutions of higher education and school districts to ensure that contractors and subcontractors with a contract price over \$200,000 provide health and retirement benefits to workers, employ apprentices to perform 15% of work hours, and make good faith efforts to employ disadvantaged and underrepresented individuals in apprenticeship positions. The bill had a public hearing in the Senate Committee on Education and died upon adjournment. The language of the bill was rolled into HB 2649, which was noted above.

SB 870

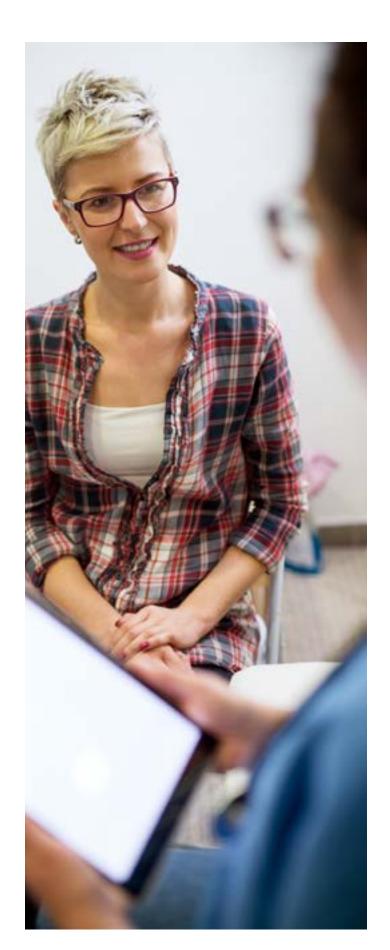


HB 3409



Energy performance standards for commercial buildings

Senate Bill 870 emerged out of the Joint Task Force on Resilient Efficient Buildings in the interim prior to the 2023 session. The bill requires the State Department of Energy to specify energy performance standard for covered commercial buildings that seeks to maximize reductions in greenhouse gas emissions. It passed out of the Senate Committee on Energy and Environment and was referred to the Joint Committee on Ways and Means. While SB 870 did not move forward, the language of the bill was rolled into HB 3409.



Health care

HB 2045



Cost Growth Target exclusions

House Bill 2045 requires health care providers to annually report to OHA providers' aggregate amount of compensation paid to frontline workers as wages, benefits, salaries, bonuses and incentive payments. Additionally, the bill excludes increases in aggregate amount of compensation in determining whether health care provider meets cost growth target set by Health Care Cost Growth Target program.

Effective date: January 1, 2024

HB 2091 X



Delay of Cost Growth Target program penalties

House Bill 2091 delays penalties under Health Care Cost Growth Target program until 2026. It was referred to the House Committee on Behavioral Health and Health Care where it had a public hearing but died upon adjournment.

HB 2141 📗 🔯



Assault of hospital workers

House Bill 2141 expands the crime of assault in the third degree to include causing physical injury to person working in hospital while worker is performing official duties. The bill was referred to the House Committee on Judiciary where it died upon adjournment.

HB 2278



Pharmacists administration of influenza vaccine

House Bill 2278 authorizes pharmacists to administer influenza vaccinations to children six months of age and older.

Effective date: September 24, 2023

HB 2279



Residency requirement for medical aid in dying

House Bill 2279 amends the Oregon Death with Dignity act to remove the Oregon residency requirements for patients to receive medical aid in dying in accordance with terms of a 2022 settlement agreement.

In 1997, Oregon enacted the Death with Dignity Act, which allows terminally ill individuals to end their lives through the voluntary self-administration of lethal medications, expressly prescribed by a physician for that purpose. The Act provides that only Oregon residents may be prescribed medication by Oregon physicians to receive medical aid in dying.

In 2021, a lawsuit was filed against the State of Oregon in U.S. District Court for the District of Oregon alleging that the residency requirement in the Act violates the Privileges and Immunities Clause and the Dormant Commerce Clause of the U.S. Constitution, because it bars Oregon health care providers from providing medical aid in dying to non-resident patients. In a settlement agreement in 2022, the State agreed not to enforce the residency requirement in the Act and to pursue legislation to repeal the residency requirement.

Effective date: July 13, 2023

HB 2408



Interstate Nurse Licensure Compact

House Bill 2408 enacts the Nurse Licensure Compact in Oregon, which is an interstate agreement that allows nurses to hold a single license issued by a Compact member state that permits the nurse to practice in any other Compact-member state. Thirty-seven states, as well as Guam and the U.S. Virgin Islands have joined the Compact, making over two million nurses eligible to practice in Compact jurisdictions. The bill had a public hearing in the House Committee on Behavioral Health and Health Care but the committee did not take action on it. There were several attempts to withdraw the bill from committee by vote of the House, led by House Republicans, but each vote failed and HB 2408 failed upon adjournment.

HB 2486



Vaccine administration by pharmacy technicians

House Bill 2486 allows pharmacy technicians to administer vaccines under the supervision of a pharmacist.

Effective date: July 18, 2023





Display of human remains

House Bill 2519 prohibits accepting payment or other consideration in exchange for displaying human remains to the public with exemptions for legitimate ceremonial and educational purposes.

Effective date: July 18, 2023

HB 2537



Delayed inpatient discharge payments

House Bill 2357 requires OHA and CCOs to pay reasonable per diem rate for patients whose discharge from hospital is delayed due to circumstances beyond hospital's control. OHSU was also supportive of this measure.

HB 2538



Insurance coverage for health care interpretation services

House Bill 2538 requires health insurance coverage of health care interpretation services that are legally mandated. Armando Jimenez, OHSU Assistant Director of Language Services, shared testimony on the institution's support of the bill (begins at the 27:30 mark).

HB 2574



Post-exposure prophylactic drug access

House Bill 2574 requires hospitals to adopt policies and procedures for prescribing and dispensing of five-day supply of human immunodeficiency virus (HIV) post-exposure prophylactic (PEP) drugs or therapies following patient's possible exposure to HIV.

Effective date: January 1, 2024

HB 2584



Physician assistant scope of practice

House Bill 2584 removes the requirement that a physician assistant's collaboration agreement include the process for assessing and reviewing the physician assistant's performance.

Effective date: September 24, 2023

HB 2665



Temporary staffing contracts

House Bill 2665 requires OHA's Health Licensing Office (HLO) to establish a process to receive and investigate complaints regarding temporary staffing agencies, requires temporary staffing agencies to ensure personnel meet certain requirements, and directs OHA to establish maximum rates that temporary staffing agencies may charge. The bill also directs OHA to establish a process for granting an emergency waiver from maximum rates and clarifies that requests for an emergency waiver are automatically approved and issued upon submission to OHA until any processing and waiver determination are completed.

Effective date: September 24, 2023

HB 2715



Regulation of "white bagging"

House Bill 2715 prohibits health insurers and pharmacy benefit managers (PBMs) from a practice commonly known as "white bagging," - restricting coverage of physician-administered prescription drugs that are obtained by nonparticipating pharmacies. Dr. Yen Pham, OHSU's Chief Pharmacy Officer, submitted testimony in support. The bill received a public hearing in the House Committee on Behavioral Health and Health Care, but it didn't meet the necessary session deadlines and died in committee on adjournment.

HB 2725



PBM retroactive payment denial or reduction on reimbursement

House Bill 2725 prohibits PBMs from retroactively denying or reducing payment on claims after adjudication unless the pharmacy and PBM agree that payment was incorrect due to clerical error. The bill also prohibits a PBM from imposing fees on pharmacies after point of sale and requires notification for any rejected or reduced claims for reimbursement.

Effective date: July 31, 2023



Exemptions to Cost Growth Target program

House Bill 2742 excludes costs incurred to meet a community's need for access to health care from the definition of "total health expenditures" for purposes of the Health Care Cost Growth Target program. The bill had a public hearing in the House Committee on Behavioral Health and Health Care but failed to meet the necessary deadlines to proceed and died upon adjournment. While HB 2742 did not move forward, the Legislature did pass a health care workforce exemption to the Cost Growth Target program in HB 2045.

HB 2743



SB 5525



Oregon Medical Coordination Center

House Bill 2743 appropriates money to the Oregon Medical Coordination Center (OMCC). Dr. Renee Edwards provided verbal and written testimony in support, highlighting how the OMCC improves equitable access to critical care services and creates more efficiency with patient transfers. Dr. Matthias Merkel also provided testimony in support. The bill passed out of the House Committee on Behavioral Health and Health Care and was referred to the Joint Committee on Ways and Means. While HB 2743 did not pass, the OMCC received an appropriation through OHA's budget bill, SB 5525.

HB 2762



PBM cost transparency

House Bill 2762 requires health insurers and PBMs to provide specified cost and coverage information at the time a drug is prescribed. The bill had a public hearing in the House Committee on Behavioral Health and Health Care but didn't meet the necessary deadlines to proceed further and died in committee upon adjournment.

HB 2817



Podiatry scope of practice

House Bill 2817 clarifies the area of the leg to which the definition of "podiatry" applies to include treatment of skin-related structures and subcutaneous masses, and wounds involving skin, skin-related structures, and subcutaneous masses on the human leg no further proximal than the tibial tubercle.

Effective date: January 1, 2024

HB 2919 📗 🔯



Liability protection for nurses

House Bill 2919 provides that a registered nurse providing patient care in good faith is immune from criminal liability for act or omission that is part of provision of care unless offense has intentional or knowing culpable mental state. The bill received a public hearing in the House Committee on Judiciary but died upon adjournment.

HB 2921 | •



Hospital workforce demographic data

House Bill 2921 requires hospitals to file report showing demographics of hospital workforce by race, ethnicity, sex, and job categories with the Bureau of Labor and Industries (BOLI) for posting to the state agency's website. Qiana Williams, OHSU Chief People Officer, submitted **testimony** in support of the bill on behalf of OHSU.

Effective date: January 1, 2024

HB 2927 📗 🔯



Sickle Cell Steering Committee

House Bill 2927 establishes Statewide Steering Committee on Sickle Cell Disease at OHA. The committee is directed to study and provide services and supports to those with sickle cell disease, including establishing a statewide network of stakeholders, establishing partnerships, educating individuals, health care providers, and the public, identifying funding sources, and making recommendations on advancing the care and treatment options. The bill remained in the Joint Ways and Means Committee upon adjournment.

HB 3008



Dental insurance provider networks and claims reimbursement practices

House Bill 3008 requires dental insurers that contract with vendors who impose fees on providers to process claims to notify providers in advance and provide alternative payment methods without fees. Dentists must "opt in" to payment methods that impose fees. The bill imposes conditions on the ability of a third party to access the services and discounted rates of a network contract between a carrier and a provider, requiring a dentist to "opt in" when a third party accesses the contract.

Effective date: January 1, 2024



PBM reporting requirements

House Bill 3012 requires PBMs to annually report specified information to the Department of Consumer and Business Services (DCBS), including costs and rebates of prescription drugs for enrollees. It had a public hearing in the House Committee on Behavioral Health and Health Care but died on adjournment.

HB 3013



PBM licensing

House Bill 3013 requires PBMs to be licensed by DCBS. The bill establishes reimbursement standards for PBM payments to network pharmacies and amends pharmacy audit requirements, including reducing the look-back period for auditing a claim from 24 to 12 months, and authorizes pharmacies to file a complaint with DCBS to contest the outcome of an appeal with a PBM regarding reimbursement. The bill passed out of the House, but dramatically failed on the floor of the Senate on the final day of the legislative session.

HB 3015



PBM retroactive fees

House Bill 3015 prohibits a PBM, after adjudication and payment on claim for reimbursement of a prescription drug, from recouping reimbursement paid except as part of routine audit, or from imposing retroactive fee on basis that was not determined when the claim was adjudicated. The bill had a public hearing in the House Committee on Behavioral Health and Health Care but died when the legislature adjourned.

HB 3182



Hospital report cash on hand

House Bill 3182 requires hospitals to record and report to OHA their daily cash on hand. OHA must publish the information online. The bill was referred to the House Committee on Behavioral Health and Health Care where it died upon adjournment.

HB 3320 | **2**



Financial assistance for health care services

House Bill 3320 requires hospitals to screen patients for presumptive eligibility for financial assistance if a patient is uninsured, enrolled in the state medical assistance program, or owes the hospital more than \$500. The bill also requires a hospital to issue a refund or cancel debt when it is subsequently determined that a patient was eligible for financial assistance at the time of care.

Effective date: July 1, 2024

HB 3396



Task Force on Hospital Discharge Challenges

House Bill 3396 establishes the Joint Task Force on Hospital Discharge Challenges. The task force is responsible for developing recommendations for administrative, legislative and funding changes needed to better serve Oregonians, meet the triple aim and open necessary capacity in hospitals for acute care patients. The task force will consist of 22 members, including a member of the Senate, a member of the House of Representatives, an OHA representative, a representative from the Department of Human Services (DHS), a representative of the Governor, and 17 members appointed by the Governor representing a variety of health care experience.

The bill also includes investments in health care workforce development:

- \$15 million to increase clinical education slots in hospitals and health care facilities
- \$5 million to address recruitment and retention of nurse educators in public nursing education programs.
- \$5 million to support clinical education programs run by labor management trusts.

Effective date: July 27, 2023

HB 3592



Hospital maternity services

House Bill 3592 requires a general hospital licensed by the OHA to provide maternity services unless exempt under criteria adopted by rule. The bill was introduced after Legacy Health announced its plan to close the Mount Hood Birth Center. There was a public hearing on the bill in the House Committee on Rules but it remained there when the legislature adjourned.



PBM reporting and upper payment limits

Senate Bill 192 directs PBMs to annually report to DCBS the amount of rebates, fees, and any other payments received from drug manufacturers, and directs the Prescription Drug Affordability Board to develop a plan for establishing upper payment limits on drugs sold in Oregon and to report back to the Legislature no later than September 15, 2024.

Effective date: September 24, 2023

SB 227



Nursing licenses during state of emergency

Senate Bill 227 allows the Oregon State Board of Nursing (OSBN) to issue a limited license to practice nursing and a limited certificate as a nursing assistant to individuals authorized to practice in another jurisdiction during a Governor declared state of emergency.

Effective date: September 24, 2023

SB 232



Out-of-state telemedicine

Senate Bill 232 clarifies the permitted practice of medicine over state lines by further defining the circumstances allowing out-ofstate physicians and physician assistants to provide care to patients located in Oregon and specifying that the practice of medicine using telemedicine occurs where the patient is physically located.

Effective date: September 24, 2023

SB 303



Psilocybin data collection

Oregon is the first state in the United States to implement and regulate legal psilocybin services. In November 2020, Oregon voters passed Ballot Measure 109 directing OHA to create a program to permit licensed service providers to administer psilocybin-producing mushroom and fungi products to individuals 21 and older. OHA began accepting applications for licensure as a psilocybin service center in January 2023.

In July 2021, the Oregon Psilocybin Advisory Board recommended developing a process, using deidentified information to assess psilocybin service center outcomes. In December 2022, OHA adopted final rules for Oregon Psilocybin Services program data collection, allowing the reporting of deidentified data by psilocybin service centers and permitting service center clients to opt-out of data sharing.

Senate Bill 303 requires psilocybin service centers to collect and maintain specified data, from aggregate level demographic information, to the number and severity of adverse events experienced, to average dose used, and submit aggregated data to OHA on a quarterly basis. Clients of psilocybin service centers can ask that their data not be reported to OHA. OHA is then required to submit information to researchers at OHSU for evaluation of psilocybin service center outcomes. Lastly, it requires OHA to aggregate and annually make public specified psilocybin service center license information.

Effective date: September 24, 2023



SB 192

PBM reporting and upper payment limits

Senate Bill 404 directs PBMs and group purchasers to annually report to DCBS the aggregate dollar amount of rebates, fees, any other payments received from drug manufacturers, and the aggregated dollar amounts of rebates, fees, and other payments passed on to carriers or enrollees or retained as revenue by PBMs. The bill also directs the Prescription Drug Advisory Board to develop a plan for establishing upper payment limits, including methodology and analysis of resources needed and means of enforcement, and specifies that the plan should include analysis for implementation of upper payment limit for drugs purchased by OHA, the Public Employee Benefits Board (PEBB), the Oregon Educators Benefits Board (OEBB), other state-administered health benefits, and health benefit plans. SB 404 did not move forward this session, but its components were included in **SB 192** in a slightly amended form.

SB 420



Brain injury resource navigator

Senate Bill 420 directs DHS to provide service coordination, resource navigation, advocacy, and options counseling to individuals with brain injuries, and convene a Brain Injury Advisory Committee.

Effective date: July 31, 2023

SB 463



Prior authorization for proton beam therapy

In 2019, the legislature passed SB 740 requiring health insurers to provide coverage of proton beam therapy for treatment of cancer to the same extent the insurer provides coverage of radiation therapy. The measure allowed insurers to subject coverage of proton beam therapy to prior authorization or other utilization review. In 2021, the legislature passed SB 2 prohibiting insurers from imposing prior authorization or other utilization review requirements on coverage of proton beam therapy for prostate cancer that are more restrictive than prior authorization or utilization review requirements applied to coverage of radiation therapy.

Senate Bill 463 further clarifies insurance coverage requirements for proton beam therapy by prohibiting the imposition of prior authorization or other utilization review requirements that do not also apply to the coverage of radiation therapy.

Effective date: January 1, 2024

SB 486



Reimbursement for delayed hospital stays

Senate Bill 486 directs OHA to pay a reasonable per-diem rate for Medicaid patients who remain in inpatient care due to circumstances beyond the hospital's control. Joe Ness, OHSU Chief Operations Officer, shared OHSU's support for the bill in testimony that highlights the challenges hospitals like OHSU are having placing patients in post-acute care settings.

SB 491 📗



Insurance coverage of fertility treatments

Senate Bill 491 requires health plans to reimburse the cost of infertility treatments. The bill exempts health services under ORS 743A.067 from the requirements but allows DCBS to assess a fee on exempt insurers and requires OHA to contract with a third-party to provide insured individuals with coverage from an exempt plan. The fees assessed on exempt employers are deposited in a fund, the Market Equity Fund, to pay for infertility treatment for people enrolled in an exempt insurer's health plan. The bill directs OHA and DCBS to study access and barriers to accessing treatment for infertility.

During the public hearing in the Senate Committee on Health Care, OHSU Medical Director of Hematology and Medical Oncology, Dr. Brandon Hayes-Lattin, OHSU Professor of OB/GYN, Dr. Paula Amato, and OHSU Assistant Professor of OB/GYN, Dr. Elizabeth Rubin, all testified in support. SB 491 was left in the Senate Committee on Rules on adjournment.



Guardianship and supported decision-making

As introduced, Senate Bill 528 required that the least restrictive, appropriate environment be explored such as the use of assistive technology, the appointment of a representative payee, power of attorney, health care representative as well as other supports that encourage self-direction before the appointment of a guardian or conservator. The bill received a public hearing but was ultimately amended significantly to address a different issue entirely.

SB 578 (2021) gave a person who was a respondent in guardianship access to legal service if they couldn't afford it, which was placed in the Office of Public Defender. Due to capacity issues, they've asked Disability Rights Oregon (DRO) to do the representation work. SB 528, as amended in the A-engrossed version, directs the director of public defense services to contract with the designated advocacy system (currently DRO) to provide legal services to respondents and protected persons in protective proceedings and to provide education services to courts and visitors regarding the rights of respondents and protected persons to court-appointed counsel in protective proceedings. Despite being amended the bill did not move forward this session.



SB 563



Assault of hospital workers

Senate Bill 563 expands the crime of assault in the third degree to include causing physical injury to a person performing official duties in a hospital. Unlike **HB 2141**, SB 563 provides specific exemptions for individuals with certain disabilities and other conditions that impair a person's judgement or behavior. The bill was referred to the Senate Committee on Judiciary and died upon adjournment.

SB 584



Online scheduling for health care interpretation services

Senate Bill 584 establishes an online portal for health care providers to schedule appointments with health care interpreters and to process billing. It had a public hearing in the Senate Committee on Health Care but died upon adjournment.

SB 608



340B drug reimbursement

Senate Bill 608 directs OHA to conduct a survey of retail pharmacies providers enrolled in the state medical assistance program regarding pharmacies' dispensing costs every three years and request a state plan amendment if the survey indicates change to the dispensing fee is needed.

Effective date: June 7, 2023

SB 628 | •



Coverage of PANDAS/PANS

In May 2022, the Health Evidence Review Commission issued coverage guidance recommending up to three monthly courses of IVIG therapy to treat pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS), and pediatric acute-onset neuropsychiatric syndrome (PANS) when a clinically appropriate trial of two or more less-intrusive treatments does not result in sustained improvement and a pediatric subspecialist recommends IVIG therapy. Senate Bill 628 requires health benefit plans and health care service contracts to cover specified treatments for PANDAS/PANS.

Effective date: January 1, 2024



Oregon Memory Net Program

Senate Bill 796 establishes an Oregon Memory Net program at OHSU's Alzheimer's Research Center to provide an opportunity for primary care providers to refer patients showing signs of cognitive decline or impairment, but who have not been diagnosed with Alzheimer's disease or other forms of dementia, for memory assessment at neurologic clinic. OHSU faculty coordinated with the Oregon Alzheimer's Association to develop and pursue the Oregon Memory Net program. Dr. Vimal Aga, OHSU Adjunct Assistant Professor of Neurology, testified live in support of the proposed program; and Dr. Barry Oken, OHSU Professor of Neurology, and Dr. Jennifer DeVoe, OHSU Professor of Family Medicine, submitted written testimony in support. The bill passed out of the Senate Committee on Health Care but was left in the Joint Committee on Ways and Means upon adjournment.

SB 965 | 🖸



Offsite investigations of nurse staffing complaints

Senate Bill 965 is a public health technical fix bill that clarifies authority and scope for several programs within OHA's Public Health Division, including allowing OHA to conduct off-site investigations after receiving complaints against hospitals for certain violations.

Effective date: January 1, 2024



SB 966



Omnibus OHA program updates

Senate Bill 966 is an omnibus bill updating programs administered by OHA's Health Policy and Analytics division. The bill includes changes to health care data collection, changes to the membership of the Health Insurance Exchange Advisory Committee, the repeal of the Compact of Free Association Premium Assistance Program, the replacement of the Health Plan Quality Metrics Committee, and the establishment the Metrics and Scoring committee within the Oregon Health Policy Board and clarification of board compensation and reimbursement. The bill also directs OHA to study the Coordinated Care Organization (CCO) Quality Incentive Program and the structure of the Metrics and Scoring Committee. The study must include identifying four additional downstream health outcomes and quality measures and four upstream measures applicable to services provided by CCOs.

Effective date: July 31, 2023

SB 1089



Universal Health Plan Governance Board

Senate Bill 1089 establishes the Universal Health Plan Governance Board within DCBS and requires the board to deliver a plan to the Legislature and Governor on a plan for implementation no later than September 15, 2026. On signing SB 1089 into law, Governor Kotek issued a letter indicating concerns with implementing the bill given other significant legislative investments in the Basic Health Plan, 1115 Medicaid Waiver, Essential Health Care Trust expansion and Healthier Oregon coverage expansions. Because SB 1089 advance a new program that will require significant state investment, the Governor asked the sponsors of SB 1089 and legislative leadership to provide clearer direction to the Governance Board on their charge in the 2024 legislative session.

Effective date: August 4, 2023

Higher education

HB 2263

Task Force on Student Housing

House Bill 2263 establishes the Task Force on Student Housing and requires the task force to examine student housing availability and funding at post-secondary institutions and give recommendations on how they can be open, welcoming, and safe places for houseless students. The bill was left in the Joint Committee on Ways and Means on adjournment.

HB 2471 📗 🗷



Scholars for a Healthy Oregon repayment study

House Bill 2471 requires OHSU, the Department of Administrative Services (DAS) and the Department of Revenue (DOR) to study the repayment process for SHOI recipients who do not complete their obligation to practice for a certain number of years in a rural or underserved community in Oregon. The bill was introduced at the request of several SHOI recipients who completed their education but didn't complete the required service commitment and now must repay the SHOI fund. It had a hearing in the House Committee on Higher Education, and Dr. David Robinson, OHSU Executive Vice Provost, provided testimony highlighting the accomplishments of the SHOI program and sharing that OHSU supports fair repayment plans for SHOI recipients. The committee did not take further action on HB 2471 and it died upon adjournment.

HB 2485



Directs PSU to increase public mental health and addiction treatment graduates

House Bill 2485 appropriates \$2.7 million to Portland State University to increase the number of graduates from social work and certified drug and alcohol counselor programs. The bill was left in the Joint Committee on Ways and Means when the legislature adjourned.

HB 2611 | 🕜



Expands required health benefits for part-time faculty

House Bill 2611 includes dental and vision benefits in the health care benefits available to part-time faculty at public institutions of higher education, makes eligibility for health care benefits dependent on eligibility for PERS, and requires colleges and universities to notify public employees of health care benefits and eligibility requirements.

Effective date: July 31, 2023

HB 2996 📗 🗷



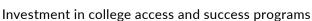
Radiological examination requirements for dental assistants

House Bill 2996 prohibits the Oregon Board of Dentistry and OHA from requiring a dental assistant to pass a written examination on radiological proficiency and X-ray machine operation. The bill passed out of the House of Representatives but failed to meet the necessary deadlines in the Senate to move forward and died upon adjournment.

HB 3120



HB 5025



House Bill 3120 requires HECC to establish a grant program to expand the scope and community outreach of college access and success programs and appropriates \$5 million. The appropriation was intended for distribution in amounts of \$1 million to five programs: Access to Student Assistance Programs in Reach of Everyone (ASPIRE), College Possible, Advancement Via Individual Determination (AVID), BUILD EXITO at Portland State University, and the Oregon TRIO Association. HB 3120 passed out of the House Committee on Higher Education and moved to the Joint Committee on Ways and Means where it died upon adjournment. While HB 3120 did not move forward, the Legislature allocated \$5 million in the HECC's budget bill, HB 5025.



Dental assistant certification exams

House Bill 3223 allows the Oregon Board of Dentistry to require applicants for dental assistant certification to pass a written examination approved by the Board and offered in English, Spanish, and Vietnamese, if the examination is administered by a program either accredited or approved by the American Dental Association to provide continuing education. The bill specifies that the board may not require an applicant for certification as a dental assistant, including any type of expanded function dental assistant, to complete more than one written examination for certification as that type of dental assistant. It also directs the Board to convene an advisory committee of at least seven members, the majority of whom have practiced as dental assistants, to advise the Board about workforce issues.

Effective date: September 24, 2023

HB 3324



Directs SOU to increase graduates in behavioral health provider programs

House Bill 3274 appropriates \$2.5 million to Southern Oregon University to increase the number of mental health practitioners who graduate in southern Oregon and teaching behavioral and mental health competencies through alternative academic pathways. It was left in the Joint Committee on Ways and Means when the legislature adjourned.

HB 3324



HB 3396



Incentives for nurse educators

House Bill 3324 directs OHA to establish the Nurse Educator Workforce Stipend Program to provide incentives to nurse instructors. The bill passed out of the House Committee on Behavioral Health and Health Care but was left in the Joint Committee on Ways and Means on adjournment. While HB 3324 did not pass, the Legislature did make a \$5 million investment to address recruitment and retention of nurse educators in public nursing education programs in HB 3396.

HB 3456



Sexual Misconduct Survey Council

House Bill 3456 establishes the Sexual Misconduct Survey Council, and requires institutions of higher education to conduct a statewide biennial survey of students and employees on experiences of sexual misconduct; to employ at least one certified advocate as part of its victim services program; to enter into a memorandum of understanding with a community-based domestic and sexual violence advocacy agency to provide victim services; to provide annual sexual misconduct training to students and employees; to waive academic success requirements of institution-sponsored programs and activities for students who experience sexual misconduct; and to submit annual report on allegations and investigations of and support services for sexual misconduct.

Effective date: July 31, 2023

HB 3565



Oregon Tribal Student Grant program

House Bill 3565 codifies the Oregon Tribal Student Grant program, establishes qualifications for participation and details how grant award amounts are calculated. The program was initially created through a \$19 million special purpose appropriation in HB 5202 (2022).

Effective date: July 31, 2023

HB 3596



Education requirements for surgical technology apprenticeship

House Bill 3596 modifies the surgical technology apprenticeship pathway adopted as part of HB 4106 (2022) and authorizes a comprehensive apprenticeship program that includes educational components overseen by OHA and BOLI.

Effective date: July 27, 2023



In-state tuition for COFA students at OHSU

In 2021, the Legislature passed SB 553 guaranteeing COFA islanders, refugees, and SIV holders who are Oregon residents in-state tuition at the state's seven four-year public universities. Later in 2021, OHSU adopted the same standard to its official policy. Senate Bill 272 statutorily extends the guarantee to students attending OHSU as well. Anna Teske, OHSU Associate Vice Provost for Academic Affairs, provided testimony in support.

Effective date: June 6, 2023

SB 273



Public university governance

Senate Bill 273 adds a graduate student and an additional nonvoting undergraduate student to university governing boards; establishes processes for the nomination of undergraduate student, graduate student, faculty and nonfaculty staff to be nominated to the Governor for consideration; requires each governing board to formally adopt certain policies regarding university governance.

Effective date: September 24, 2023

SB 424



Withholding student transcripts

Senate Bill 424 prohibits post-secondary institutions from withholding transcripts from students with outstanding account balances starting in 2024-2025 academic year. The bill also requires post-secondary institutions to report to HECC by September 15, 2024 on the number of current and former students who owe debt in the 2023-2024 academic year and the institutions' policy and procedures to phase out transcript holds. Dr. Marie Chisholm-Burns, OHSU Provost, provided testimony sharing OHSU's support and informing the committee that OHSU ended its practice of withholding transcripts.

Effective date: January 1, 2024

SB 469



Indian Health Scholarship program

Senate Bill 469 establishes the Indian Health Scholarship Program to provide free OHSU tuition and fees for qualifying indigenous health profession students in exchange for student commitment to work at tribal service site after graduation. The bill was left in the Joint Committee on Ways and Means upon adjournment.

SB 487



Oral health care workforce grant programs

Senate Bill 487 directs OHA to establish a grant program for certified dental sealant programs and appropriates \$900,000 to be distributed proportionally based on the area the certified dental sealant program serves.

The bill also directs the Office of Rural Health to develop and implement a program that provides grants to individuals who enroll in a community dental health coordinator program and those who employ them and requires 50% of the grants to provide individuals with scholarship and tuition assistance, and the other 50% to be awarded to eligible employers. The bill was left in the Joint Committee on Ways and Means upon adjournment.

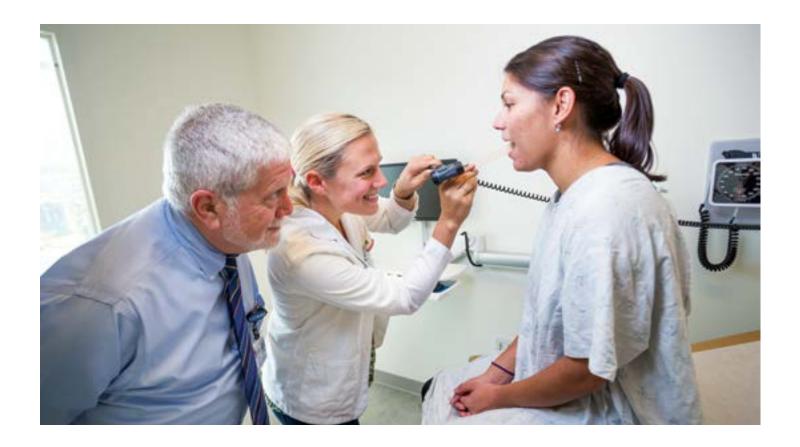
SB 490



Collaborative network of family medicine residency training programs

Senate Bill 490 appropriates \$1.5 million to the Oregon Residency Collaborative Association for Family Medicine (ORCA-FM), a program of the Oregon Academy of Family Physicians, to address the shortage of primary care physicians in Oregon who provide comprehensive, longitudinal primary care services for patients across the lifespan, including preventive care, chronic disease management, and treatment of acute illnesses. Funding for the bill will be allocated through OHSU AHEC.

Effective date: September 24, 2023





Community colleges offering RN-to-BSN completion degrees

Senate Bill 523 permits community colleges to offer Bachelor of Science: Nursing degrees. Proponents believe the bill will help address nursing workforce shortages. OHSU and private colleges and universities are concerned that the bill allows, and creates incentive, for community colleges to move away from a coordinated and collaborative model of baccalaureate nursing education, through the Oregon Consortium of Nursing Education (OCNE), that creates a streamlined BSN pathway for students.

During the public hearing in the Senate, Susan Bakewell Sachs, Dean of the OHSU School of Nursing, spoke to the committee in Salem to put those concerns on the record. You can view her submitted testimony in full here. The OCNE co-chairs, Tamara Rose and Carol Thorn, also testified with concerns.

Effective date: January 1, 2024

SB 609



SNAP benefits for graduate assistants

Senate Bill 609 directs DHS to consider hours worked as a graduate assistant as hours worked in employment for purpose of meeting work requirements in Supplemental Nutrition Assistance Program (SNAP).

Effective date: January 1, 2025

SB 849



Education requirements for international students

Senate Bill 849 requires professional licensing boards to provide culturally responsive training to staff members, publish guidance on their websites on pathways to professional licensure, certification, or authorization for internationally educated persons and waive requirements for English proficiency examination for specified internationally educated persons. It also prohibits the Oregon Medical Board from imposing time limitations on completion of the United States Medical Licensing Examination and allows the Board to issue a limited license to practice medicine to specified persons under the supervision of a licensed physician. The bill was left in the Joint Committee on Ways and Means upon adjournment.

Mental and behavioral health

HB 2235



Behavioral health workforce retention workgroup

House Bill 2235 requires the Oregon Health Authority to convene a work group to study the major barriers to workforce recruitment and retention in the state's publicly financed behavioral health system.

Effective date: July 31, 2023

HB 2395



Opioid harm reduction package

House Bill 2395 makes long-acting opioid antagonist medications more accessible in Oregon in a variety of ways and establishes standards for reporting opioid overdose deaths. The bill provides broader access to short-acting opioid antagonist treatment and distribution kits; exempts certain items that can be used to save lives, such as drug testing strips, from being defined as "drug paraphernalia" which under current law makes them illegal; makes kits available in schools and allows minors to pursue addiction treatment; and, directs district medical examiners or medical-legal death investigators to notify local mental health authorities if a death is suspected to be result of opioid or another drug overdose.

Effective date: August 4, 2023

HB 2455



Audit of reimbursement for behavioral health services

House Bill 2455 imposes requirements and limitations on audits conducted by insurers, coordinated care organizations, and OHA of claims for reimbursement for behavioral health services. The bill was left in the Joint Committee on Ways and Means when the legislature adjourned.

HB 2513



Measure 110 implementation fix

House Bill 2513 makes additional changes to Measure 110 program operations and requirements, including clarifying the responsibilities of OHA and the Oversight and Accountability Council.

Effective date: January 1, 2024

HB 2539



Training opportunities for youth mental health clinicians

House Bill 2539 allocates \$50 million in lottery bonds to Trillium Family Services to support the construction of facilities for the Oregon Center for Child, Family, and Community Health. Joe Ness, Chief Operating Officer, provided testimony in support on behalf of OHSU. The bill passed out of the House Committee on Behavioral Health and Health Care but died in the Joint Committee on Ways and Means when the legislature adjourned.

HB 2544



HB 5525



Increased residential treatment center capacity

House Bill 2544 allocates more funding to increase statewide capacity of licensed residential facilities serving individuals with mental health or substance use disorders. Dr. George Keepers, OHSU Professor and Chair of the Department of Psychiatry, submitted testimony in support of the bill on behalf of OHSU. The bill moved out of committee on a unanimous vote but it died in the Joint Committee on Ways and Means when the legislature adjourned.

SB 5525, OHA's budget bill, included \$15 million for construction of additional substance use disorder facility capacity.

HB 2651 📗 🗵



Behavioral health workforce investment

House Bill 2651 appropriates \$81 million to OHA to expand the state's behavioral health workforce. It was left in the Joint Committee on Ways and Means on adjournment.



Incentives to address shortage of county health and human services workers

House Bill 2652 authorizes counties to declare a shortage of health care and human services personnel and apply to OHA for grant funds for worker and educator benefits to alleviate the shortage. The bill was left in the Joint Committee on Ways and Means on adjournment.

HB 2757



9-8-8 suicide prevention and behavioral health crisis hotline funding

House Bill 2757 imposes a tax of 40 cents per line per month on consumers and retail subscribers to fund and expand the 9-8-8 suicide prevention and behavioral health crisis hotline. Since this bill raised new revenue, it required approval by a 3/5 majority. It was part of the agreement to bring Senate Republicans back to the chamber.

Effective date: September 24, 2023

HB 2977



OHA grants for behavioral health training programs

House Bill 2977 requires OHA to establish a grant program for higher education institutions, and other organizations with training programs, that prepare students to enter the behavioral health workforce. It passed out of the House Committee on Behavioral Health and Health Care to the Joint Committee on Ways and Means where it died upon adjournment.

HB 3126



Behavioral health services for children in emergency departments

House Bill 3126 establishes the Emergency Behavioral Health Services for Children program at OHA to promote timely delivery of behavioral health services to children who present to hospital emergency departments in behavioral health crises. The program will first be implemented as a pilot for up to three Regional Child Psychiatric Centers in hospitals in three separate regional trauma areas. OHSU, along with the American College of Emergency Physicians, submitted testimony in support. The bill moved out of policy committee on a unanimous vote but died in the Joint Committee on Ways and Means upon adjournment.

SB 1043



Opioid reversal medication at discharge

Senate Bill 1043 requires hospitals and other specified facilities that provide substance use disorder treatment to provide to specified patients upon discharge or release two doses of opioid overdose reversal medication and necessary medical supplies to administer medication.

Effective date: January 1, 2024

Public entity

HB 2038



Statements of economic interest

House Bill 2038 requires a statement of economic interest to include certain information about sources of income for businesses where the board member (or member of the household) is an officer or director or for business names under which they do business. This only needs to be reported if the source of income has a legislative or administrative interest or has been doing business, does business or could reasonably be expected to do business with OHSU; and 10% or more of the total gross annual income of the business identified comes from the source of income.

Effective date: January 1, 2024

HB 2052



Data broker registry

House Bill 2052 was developed by the Attorney General's Consumer Privacy Task Force. It creates a data broker registry for Oregon within DCBS. As originally written, the bill was not intended to include public institutions like OHSU. The state team worked with advocates from the Department of Justice on an amendment, which was adopted, to ensure the language of the bill reflected that intent.

Effective date: July 27, 2023

HB 2490



Cybersecurity public records disclosure exemption

House Bill 2490 exempts devices and systems, including contractual and insurance records setting forth specifications, applications and coverages, from required disclosure records concerning cybersecurity plans. This closes a gap in the public records law related to sensitive cybersecurity records.

Effective date: January 1, 2024

HB 2805



Quorum under public meetings law

House Bill 2805 specifies that, for purposes of the Oregon Public Meetings Law (OPML), the use of serial written communication, such as text or email messages, that are sent between participants, or the use of intermediaries to communicate, may constitute a quorum of a governing body. However, OPML would not apply to certain communications among members of a governing body, including factual or educational matters that convey no decision or deliberation that may come before the body; communication not related to any matter that could be reasonably foreseen to come before the governing body for deliberation; or matters that are non-substantive in nature.

The measure also directs the Oregon Government Ethics Commission (OGEC) to provide, or arrange for, annual training in public meeting laws for members of public bodies, and grants OGEC authority to conduct investigations of complaints of violation of public meeting laws. Members of governing bodies (excluding governing bodies of state government) with total expenditures for a fiscal year of \$1 million or more must attend or view the training at least once during the member's term of office and verify their attendance. The measure expands OGEC's authority under the OPML to include receiving and investigating reports of alleged violations.

Effective date: September 24, 2023

HB 2806



Allowable topics in executive sessions

House Bill 2806 authorizes a governing body of a public body to meet in executive session to consider matters relating to safety of governing body, public body staff and public body volunteers and to security of public body facilities and meeting spaces and relating to cyber security infrastructure and responses to cyber security threats.

Effective date: July 13, 2023

SB 160 | 🛭



Reduction of public records request fees

Senate Bill 160 requires state agencies, counties with populations of 300,000 or more, cities with populations of 100,000 or more, or school districts with student enrollment of 17,000 or more, to reduce public records request fees by 40 percent if request is made in public interest, and by between 50 and 100 percent, as determined by public records custodian, if the request is also narrowly tailored. All public bodies are required to adhere to the same on and after January 1, 2027. The bill allows the Attorney General or district attorney, when deciding a petition filed by a requester who believes an unreasonable denial of fee waiver occurred, to consider whether custodian engaged in good-faith efforts to produce records. SB 160 was referred to the Senate Committee on Rules where it received a public hearing but died when the legislature adjourned.

SB 168



Public employee participation in elections

State law currently prohibits public employees from promoting or opposing the nomination or election of a candidate during working hours. A "candidate" is someone who has filed a declaration of candidacy or has received or spent money to secure nomination or election, among other things.

Senate Bill 168 replaces the term "candidate" with "person to a public office" and clarifies that public employees are prohibited from promoting or opposing the appointment, nomination, or election of a person to an elected office while on the job during working hours or otherwise acting in the public employee's official capacity. The measure also prohibits a public employee from promoting or opposing the filing of an initiative, referendum, or recall petition. The bill also clarifies that "while on the job during working hours" does not include mealtimes, breaks and otherwise allowable time off.

Effective date: January 1, 2024





Oregon Government Ethics Commission review and investigations of executive sessions

Senate Bill 207 authorizes Oregon Government Ethics Commission to proceed on own motion to review and investigate, as though it received complaint, if it has reason to believe a public body conducted meetings in executive session that violated executive session provisions of public meetings law.

Effective date: January 1, 2024

SB 417



Efficiency in public records requests

Senate Bill 417 directs public bodies to perform search, review, and duplication work in the least expensive manner reasonably possible when responding to public records requests. The bill received a public hearing in the Senate Committee on Rules but didn't meet key legislative deadlines to move forward and died upon adjournment.

SB 423



OHSU board composition

Senate Bill 423 changes the composition of OHSU's Board of Directors by adding one OHSU faculty member and one OHSU nonfaculty staff member as voting members. This will be a significant change for OHSU's Board of Directors.

Effective date: January 1, 2024

SB 510



Public Records Advocate costs assessed to public bodies

Senate Bill 510 directs the Public Records Advocate to estimate its biennial costs to carry out its duties on or before January 1 preceding the start of a biennium, and to assess those costs to public bodies in state government.

Effective date: September 24, 2023

SB 619



Oregon Consumer Privacy Act

Senate Bill 619, also known as the Oregon Consumer Privacy Act, is another bill that came out of the Attorney General's Consumer Privacy Task Force. It creates consumer data protections that require notification if personal information is being used or shared, how it is being used or shared, and gives an option to opt-out of having personal information used or shared. In an initial version of the bill, some public entities were excluded from the requirements, but other public entities were still included in the requirements. The state government relations team worked with the Department of Justice on language to clarify that OHSU was excluded like other public entities.

Effective date: January 1, 2024



Public health

HB 2001 | 🕜



Early session housing policy package

House Bill 2001 is a robust housing policy package championed by Governor Kotek that aims to increase production and reduce and end homelessness. For a detailed list of the bill components, you can read a summary here.

Effective date: March 29, 2023

HB 2005



Omnibus gun safety package

House Bill 2005 is an omnibus gun safety bill that began as a bill focused on addressing the issue of "ghost guns." OHSU submitted testimony in support of the bill. Early in session, HB 2005 was amended to include several other gun related provisions, including raising the age to purchase certain firearms from 18 to 21 and authorizing governing bodies of certain public entities to adopt a policy, ordinance or regulation precluding the concealed handgun license affirmative defense to firearm possession in public buildings and expands the definition of public buildings to include the grounds adjacent to each such building, but those added policy pieces were amended out as part of the deal for Senate Republicans to return to the Capitol.

Effective date: July 13, 2023

HB 2773



Public health workforce incentives

House Bill 2773 requires the Oregon Health Authority to provide incentives to increase recruitment and retention of local public health professionals. It was left in the Joint Committee on Ways and Means when the legislature adjourned.

HB 3090 📗 🔯



Flavored tobacco ban

House Bill 3090 prohibits distributing, selling, attempting to sell or allowing to be sold flavored inhalant delivery system or flavored tobacco product in this state. During the bill's public hearing in the House Committee on Behavioral Health and Health Care, Dr. James Bishara, Assistant Professor of Pediatrics, Division of Cardiology, School of Medicine at OHSU, testified in favor. The bill passed out of committee but was left in the Joint Committee on Ways and Means when the legislature adjourned.

HB 3501 📗 🗵



Right to Rest Act

House Bill 3501 establishes the Right to Rest Act, which seeks to decriminalize public camping and give homeless people the power to sue if harassed or forced to relocate. The bill didn't meet key legislative deadlines to move forward this session.

HB 3610



Task Force on Alcohol Pricing and Addiction Services

House Bill 3610 establishes the Task Force on Alcohol Pricing and Addiction Services to study and report to the Legislative Assembly by September 15, 2024, on alcohol addiction and prevention; distribution of resources for alcohol addiction treatment; current overall funding for alcohol addiction treatment programs; cost of alcohol addiction to state; benefits and drawbacks of imposing taxes on beer and wine; and additional funding options for alcohol addiction treatment.

Effective date: September 24, 2023

HB 5019



Early session housing budget package

House Bill 5019 is Governor Kotek's early session housing budget package and makes more than \$200 million in total investments to address homelessness, prevent evictions, and create shelter space across the state. OHSU submitted testimony in support highlighting the direct relationship between housing and health.

Effective date: March 29, 2023

Research

HB 2904 | 🖸



Oregon National Primate Research Center reporting

House Bill 2904 requires OHSU to annually publish on its website certain information related to research using nonhuman primates. Interim Director of ONPRC, Dr. Jon Hennebold, Attending Veterinarian, Dr. Jeff Stanton, and OHSU Legal Counsel, Raghav Shanmugasundaram, testified in-person before the House Committee on Emergency Management, General Government, and Veterans' Affairs on the bill. They highlighted the highly regulated environment that ONPRC already operates under, the critical and lifesaving research being conducted, the high level of care for the animals, and the duplicative reporting requirements that the bill requires.

The speakers representing OHSU and the ONPRC asked that the bill be amended to ensure the information provided would not threaten the safety of those who work at the ONPRC. We worked to develop amended language that did this. Rep. Dacia Grayber, committee chair, negotiated the amendment language with the bill sponsor and found place of compromise. When the amended bill moved out of committee, Chair Grayber commented that the bill would make ONPRC the "most transparent" in the country while "keeping workers safe."

Effective date: January 1, 2024

SB 4 📗



Oregon CHIPS Act

Senate Bill 4 is a \$210 million economic development package that commits \$190 million in state resources to support applications by Oregon businesses for \$52 billion from the federal CHIPS and Science Act. Grant and loan funds can be used to develop a site for a semiconductor or other advanced manufacturing facility, research and development, and partnering with institutions of higher education for workforce development and the creation of training, certified apprenticeship and internship opportunities, with respect to semiconductors and advanced manufacturing. An additional \$10 million will go toward assisting local governments to prepare sites for semiconductor industrial development.

Importantly, the package also includes \$10 million for the University Innovation Research Fund (UIRF), a competitive grant fund that was created by the legislature in 2019 to provide matching funds that are required for federal research grant awards. The UIRF helps Oregon's public universities and OHSU compete at the national level for certain federal research funds aimed at economic innovation.

Effective date: April 13, 2023