



Health Care Market Oversight Program – House Bill 2362 (2021) Rules Advisory Committee (RAC) Participation

Role of the RAC In Rulemaking

RACs are used to seek input to the maximum extent possible during the development of the proposed rulemaking prior to giving notice of intent to adopt, amend, or repeal an administrative rule. RACs allow the public and interested parties to provide input and suggestions during the development of new rules, amendment or repeal of existing rules, and the fiscal impact of the proposed rulemaking. The RAC's role is advisory, and consensus is not necessary.

Rules Advisory Committee meetings dates & times:

October 25th 9am – Noon

November 4th 1pm – 4pm

Zoom links available on the program website:

<https://www.oregon.gov/oha/HPA/HP/Pages/health-care-market-oversight.aspx>

The Oregon Health Authority (OHA) is holding these RACs as public meetings and any individual is welcome to attend, observe, and listen. The RAC meetings will include a time for the public to provide comment.

RAC Members

Individuals from the following organizations have thus far responded to OHA's request for RAC members:

ACLU of Oregon
Advanced Health
AFC Urgent Care
AllCare CCO
Aviva Health
Basic Rights Oregon
Cambia Health Solutions
CareOregon
Douglas County IPA
Family Forward Action and Family Forward Oregon
Healthcare for All Oregon
Kaiser Permanente
Legacy Health
NARAL Pro-Choice Oregon
Oregon Academy of Ophthalmology

Oregon AFSCME
Oregon Association of Hospitals and Health Systems
Oregon Association of Orthopedic Surgeons
Oregon Dental Association
Oregon Health Equity Alliance
Oregon Independent Medical Coalition (OIMC)
Oregon Law Center
Oregon Medical Group
Oregon Nurses Association
Oregon Primary Care Assoc
OSPIRG
PacificSource
PeaceHealth

Planned Parenthood Advocates of
Oregon
Providence Health & Services
Salem Clinic
Salem Health

Samaritan Health
SEIU
Sky Lakes Medical Center
WVP Health Authority

What to Expect as a RAC Member – during and after the RAC

During the RAC the facilitator will lead the meeting and briefly summarize each section of rules. As draft rules are explained, RAC members will have the opportunity to offer input and comments. Subject matter experts from OHA, the Department of Consumer and Business Services (DCBS) and the Oregon Department of Justice (DOJ) will be available to respond to questions from members to help clarify rule concepts and provide context as necessary to help people understand the intent of the rules.

The RAC meetings will use the Zoom platform for virtual participation. Because RAC members may participate remotely with video or by phone, individuals should state their name and organization prior to speaking. Members should expect the RAC facilitator to repeat the question to ensure all participants understand. If possible, RAC members should refrain from using the message or text function in Zoom and instead state their input so RAC members participating by phone can hear the input. The facilitator will go through the rules section by section, stopping at each section or group of sections to solicit input. For each section or group of sections the facilitator will ask the RAC members to raise their virtual hand, or if on the phone state their name, if they have input to give. The facilitator will then call on the RAC members to provide input.

What to Expect as a Member of the Public during and after the RAC

All participants not identified as RAC members will be muted during the meeting except for the public comment period. During the specified time, the facilitator will ask persons interested in providing public comment to identify themselves. The public comment period may be limited to 10 minutes. Time will be divided equally among individuals wanting to offer public comment. There will also be further opportunities for public input once notice of the proposed rule change has been submitted to the Secretary of State.

Rule Drafts

OHA posted draft rules on the program website (<https://www.oregon.gov/oha/HPA/HP/Pages/health-care-market-oversight.aspx>) on October 18th. The first RAC occurs on October 25th, after which OHA will publish a second draft of the rules before the next RAC meeting on November 4th. After the November 4th RAC meeting, OHA will publish a third draft of the rules for the public hearing. Feedback from RAC members and the public will inform the multiple drafts.

Next Steps After RAC Meetings

Individuals including RAC members may submit additional input to HCMO.info@dhsoha.state.or.us until the rules hearing, which is planned to occur between December 15th and December 21st.

After the RAC meetings staff from OHA, DCBS, and DOJ and subject matter experts will discuss and thoughtfully consider all suggestions expressed by RAC members and the public. After the RAC meetings conclude, OHA will finalize the proposed rule text and submit a notice of proposed rulemaking to the Secretary of State (SOS). The public will have an opportunity to review and comment on the proposed rules as required by statute. Comments received during this period may affect the final text of the rule.

The Health Care Market Oversight Program rulemaking timeline is as follows:

- November 24th - OHA files proposed rules with SOS and e-mails the Notice to Legislators and Interested Parties
- December 1st - Notice published in the Oregon Bulletin
- December 1st through December 21st – Public comment period
- Between December 15th and December 21st – Rules Hearing
- January 13, 2022 – OHA submits permanent filing to Secretary of State
- January 14, 2022 – Secretary of State approves permanent filing and rules are subsequently posted to OHA's website
- March 1, 2022 – Program effective date

Program website: <https://www.oregon.gov/oha/HPA/HP/Pages/health-care-market-oversight.aspx>