

# 2025 Rules Advisory Committee Guidance

October 2025

## Health Care Market Oversight Program

Through the Health Care Market Oversight (HCMO) program, the Oregon Health Authority (OHA) reviews proposed health care business deals to make sure they support Oregon's goals of health equity, lower costs, increased access, and better care. The program applies to mergers, acquisitions, and other business deals that involve health care entities and meet certain criteria.

This program is applied under [Oregon Revised Statutes \(ORS\) 415.500 through 415.900](#), [Oregon Administrative Rules \(OAR\) 409-070-0000 through 409-070-0085](#) and sub-regulatory guidance, such as the [OHA Framework and Guiding Principles](#).

Over the next few months, OHA is seeking feedback on the administrative rules that guide the program ([Oregon Administrative Rules \(OAR\) 409-070-0000 through 409-070-0085](#)).

## OAR 409-070-0000 through 409-070-0085

Feedback for [OAR 409-070-0000 through 409-070-0085](#) will be tentatively accepted through early 2026. Opportunities will be provided for public comment at Rules Advisory Committee (RAC) meetings, and by emailing [hcmo.info@oha.oregon.gov](mailto:hcmo.info@oha.oregon.gov), filling out the [public comment form](#), or calling 503-945-6161 with your input.

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.

If you'd like to offer comments and feedback on the HCMO administrative rules at the RAC meetings (outside of the public comment period), you will need to serve as a RAC member. At the RAC meetings, RAC members review and suggest edits to the proposed rule text, Statement of Need, Fiscal Impact, and Racial Equity Impact Statement. The 2025 RAC member roster can be found [here](#).

### **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.

Oregon Health Authority (OHA) is holding these RACs as public meetings and any individual is welcome to attend, observe, and listen. RAC meetings will be posted online, and members of the public will be able to listen in. The RAC meetings will include a time for the public to provide comment. For more information about the RAC meetings, including dates, times, and meeting materials, [visit the HCMO website](#).

### **RAC Member Responsibilities**

1. Members agree to participate in good faith and to act in the best interests of the RAC and its charge.
2. Members accept the responsibility to collaborate in developing potential recommendations that are fair and constructive for the state. Members are expected to consider a range of issues and options to address them, discuss the pros and cons of the issues/options presented and if applicable, come to a conclusion or consensus that reflects the "sense of the group."

3. Members acknowledge that their role is to provide recommendations; final decisions, if any, rest with OHA.
4. Members agree to fulfill their responsibilities by attending and participating in Committee meetings; reviewing materials in advance to understand items to be addressed in meetings; working collaboratively with one another to explore solutions; participating in the development of recommendations as requested; and considering and integrating public comment into Committee recommendations as appropriate.
5. Committee members agree to act in good faith in all aspects of the Committee's process. This includes being honest and refraining from undertaking any actions that will undermine or threaten the deliberative process. It also includes professional behavior inside and outside of meetings.

RAC members may be removed at the discretion of OHA for failure to fulfill responsibilities as outlined in this guidance.

### **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 and proposed changes. As the proposed rule changes are explained, RAC members will have the opportunity to offer input and comments.

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.

### **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 virtual meetings 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 in each RAC meeting may be limited to 10 minutes total.

The public may also submit comments by emailing [hcmo.info@oha.oregon.gov](mailto:hcmo.info@oha.oregon.gov), filling out the [public comment form](#), or calling 503-945-6161 with your input.

There will also be further opportunities for public input once notice of the proposed rule change has been submitted to the Secretary of State.

### **Next Steps After RAC Meetings**

Individuals, including RAC members, may submit additional input by emailing [hcmo.info@oha.oregon.gov](mailto:hcmo.info@oha.oregon.gov), filling out the [public comment form](#), or calling 503-945-6161 with your input. Public comments will be accepted and posted on the [HCMO website](#) leading up to the rules hearing (date to be determined).

After the RAC meetings, staff and subject matter experts will discuss and thoughtfully consider all suggestions and feedback 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.

*Document last updated 10/31/2025. This document will continue to be updated as needed.*

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