Senate Bill 253
Rules Advisory Committee

Meeting #1

December 17, 2019

1:00 p.m.

PUBLIC HEALTH DIVISION
Office of the State Public Health Director

Welcome and Rulemaking Overview

- SB 253 passed during 2019 legislative session
- Rules Advisory Committee (RAC) reviews and provides input on draft proposed rules (December 2019, January 2020)
- File notice of proposed rulemaking with Secretary of State (March 2020)
- Public hearing and public comment period on proposed rules (April 2020)
- Response to testimony sent to interested parties (May 2020)
- Final rules filed with Secretary of State (May 2020)
- Rules effective (June 1, 2020)

Introductions – RAC Members

Overview of Related Statutes

- When can a transfer of Local Public Health Authority responsibilities occur?
- What happens when a transfer of Local Public Health Authority responsibilities are transferred to OHA?
- What did SB 253 change in the ORS about transfers of Local Public Health Authority responsibilities?

Conditions for Transfer

- If OHA does not receive state moneys equal or exceeding the estimate OHA submits to legislature, a governing body of an LPHA can transfer LPHA responsibilities
- Governing body has to pass a resolution or ordinance and transfer cannot take effect until 180 days after adoption unless OHA agrees to an earlier date
- All public health responsibilities are transferred. Governing body cannot pick and choose responsibilities to keep.
- From OHA's perspective, the governing body is choosing to no longer be responsible for public health in their jurisdiction or to be part of the public health system.

OHA's Responsibilities in a Transfer

- OHA's responsibilities have been carefully reviewed by the Department of Justice

- OHA has responsibility for:
  - Monitoring communicable diseases and controlling outbreaks
  - Enforcing the Indoor Clean Air Act
  - Ensuring access to safe drinking water
  - Ensuring access to WIC services
  - Licensing and inspecting food, pool and lodging facilities

- Any other public health work within a jurisdiction that has transferred LPHA responsibilities is covered at the discretion of OHA.

SB 253 Changes

- Provides language related to transferring LPHA responsibilities back to a jurisdiction that previously transferred responsibilities to OHA
- LPHA governing body must provide rationale for request to transfer back
- Specifies that generally a transfer back cannot occur for at least four years after the transfer date.

SB 253 Changes

- If jurisdiction wants a transfer of LPHA responsibilities back to the jurisdiction earlier than four years, OHA must agree to an earlier date and criteria.
- Gives OHA rulemaking authority to establish criteria for early transfer
- OHA and the LPHA governing body must enter into a written agreement describing schedule and other information to effectuate the transfer back.

Review and Discuss Draft Proposed Rules

Public Comment

Next Meeting – January 21, 2020

- Review rules revisions based on today's discussion
- Review and provide input on Fiscal Impact Statement
- Review and provide input on Statement of Need

Process Review and Final Questions

Adjourn