

LEGISLATIVE UPDATE

Prepared for OAHU

March 1, 2020

GOP Walkout

Senate Republicans walked out after the Joint Ways and Means Committee approved SB 1530, the greenhouse gas cap-and-trade bill, on Monday. Their House Republican colleagues joined the walkout on Tuesday.

Committees continued meeting and taking action on bills, teeing them up for floor action if and when Republicans return.

Coronavirus Update

Governor Brown created a new coronavirus response team, including more than a dozen state agencies, that will meet weekly to coordinate efforts to address the virus.

Oregon Health Authority Director Pat Allen said there are currently 80,413 cases worldwide, 53 in the US, and zero in Oregon. There is no vaccine for the virus or medications to treat it. So, Allen said the interventions to control its spread are washing hands, covering your cough and staying home if sick. "It's going to sound kind of low tech," he said. "Really, that's it?" he was asked.

"Yes, that's it. Those are effective measures and we really recommend people use them. We are very confident our hospitals and medical providers can address the coronavirus using the Oregon Crisis Care Guidance." He said those procedures have been refined in response to Ebola, H1N1, Zika and other incidents.

SB 1535 – Rx Price Transparency

The House Rules Committee took up proposed changes to the Prescription Drug Price Transparency Program and the Task Force on Fair Pricing of Prescription Drugs.

Among other provisions, the bill would:

- Allow DCBS to use the all-payer, all-claims (APAC) database to crosscheck information coming from pharmaceutical companies
- Add members to the task force
- Require DCBS to collect information on Rx markups and rebates
- Clarify that pharmaceutical manufacturers must report if the cumulative price increase of a drug exceeds 10% in a calendar year, a provision Pharma continues to dispute.

"I would assume that most people would see cumulative to be a more appropriate way to measure price increases," Sen. Elizabeth Steiner Hayward (D-Portland) said. "I'm really surprised there is so much fuss about this bill."

The House Rules Committee approved the bill, sending it to the floor.

HB 4101 – Telehealth Coverage Parity

Ways and Means passed Rep. Prusak's (D-Tualatin/West Linn) legislation that seeks to provide homebound patients and patients in rural areas equitable access to health care. The bill would require CCOs cover services delivered via telemedicine if they cover the same service in an office.

HB 4107 – Businesses Can't Discriminate against People Paying in Cash

The Senate Rules Committee approved an amendment to HB 4107 clarifying exceptions to the requirement that businesses must accept cash. Those exceptions include farmers markets and roadside stands; aircraft; banks; insurance; securities; mortgage and escrow transactions; and Department of Revenue regional offices.

In addition, health care clinics can refuse to take cash if they can bill the patient with an option for the patient to pay in cash.

The committee approved the bill, sending it to the floor.

SB 1527 – Noncompetes

The bill — limiting noncompete agreements to 12 months and voiding noncompetes signed by anyone making less than \$97,313 per year — moved quickly out of the House Business & Labor Committee. One question clarified that this bill does not affect non-disclosure or non-solicitation agreements. There was no other discussion.

SB 1577 – Vape Sales Licensure

Entering the session, banning the sale of flavored nicotine inhalant delivery systems (commonly known as vapes) was a top priority for many Democrats and public health advocates. Ultimately, the industry was able to convince legislators that banning flavors outright would only push kids to buy these products from unregulated markets. A study showing the impact on tobacco tax revenues also made the policy a difficult sell...

The Human Services Sub-Committee on Ways and Means amended the bill to require shops that sell vape product in Oregon be licensed. The bill passed out of full Ways and Means on Friday.

Bill sponsors Rep. Cheri Helt (R-Bend) – one of two Republicans who remained at the capitol this week – and Sen. Laurie Monnes Anderson (D-Gresham) say that the industry supports this legislation.

HB 4149 – OHA Map Alcohol and Drug Policy Commission's Strategic Plan

HB 4149 funds OHA to map Oregon's resources and needs to implement the Alcohol and Drug Policy Commission's Strategic Plan. Ways and Means approved the bill, sending it to the floor for debate.

SB 1553 – Barriers for Co-Occurring Behavioral Health and Addiction Disorders

SB 1553 requires OHA to report to the legislature on existing barriers for people with co-occurring behavioral health, addiction disorders and/or developmental and intellectual disabilities to seek treatment, and suggestions to improve access long-term. Ways and Means approved the bill.

SB 1552 – CCBHCs

This bill continues the Certified Community Behavioral Health Clinics pilot program through the rest of the biennium. The bill costs the state approximately \$15.3 million but draws down \$63 million in Federal funds.

The bill also requires the Oregon Health Authority (OHA) to evaluate whether CCBHCs increase access to behavioral health services, improve outcomes, lower the cost of care and are complementary to the coordinated care system.

SB 1552 passed out of Ways and Means and now goes to the floor.

HB 4124 – Campaign Finance Task Force

This establishes a 17-member task force to analyze and make recommendations to the 2021 legislature on campaign contribution limits in Oregon.

It also specifies that if the Oregon Supreme Court rules, in a case now pending, that the Ballot Measure 47 contribution limits passed by voters in 2006 are constitutional, those limits would become effective on July 1, 2021.

The bill was approved by Ways and Means and now goes into the queue for House floor debate.

###