

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Health Authority

943

Agency and Division

Administrative Rules Chapter Number

In the Matter of: The adoption of OAR 943-070-0000 through 943-070-0020

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Establishing rules for the development of Cultural Competence Continuing Education Opportunities for Health Care Professionals

Statutory Authority: ORS 413.042, Oregon Laws 2013, Chapter 240

Other Authority:

Stats. Implemented: Oregon Laws 2013, Chapter 240

Need for the Rule(s):

House Bill 2611 was passed during the 2013 legislative session and mandates that the Oregon Health Authority (Authority) provide resources and support for improving the cultural competence of regulated health care professionals in Oregon. The statute also requires that the Authority report to the Oregon State Legislature about the level of participation in cultural competence continuing education among regulated health-care professionals. The Authority needs to adopt these rules to be in compliance with HB2611 and Oregon Laws 2013, Chapter 240.

Documents relied upon, and where they are available:

- HB 2611: <https://olis.leg.state.or.us/liz/2013R1/Measures/Text/HB2611/Enrolled>
- Cultural Competency Continuing Education Committee Report for Oregon Health Authority-*Recommendations for Advancing Cultural Competence Continuing Education for Health Professionals in Oregon*:
<http://www.oregon.gov/oha/oei/Documents/Final-CCCEC-Report-2013.pdf>
- Oregon Health Professional Board examples of continuing education tracking processes and forms:
<http://www.oregon.gov/oha/oei/Pages/HB-2611-RAC.aspx>
- Numerous other documents located: <http://www.oregon.gov/oha/oei/Pages/HB-2611-RAC.aspx>

Fiscal and Economic Impact:

For the Authority and the Oregon health professional groups identified as Boards within HB 2611, these rules will result in some fiscal impact as rules, questionnaires and reporting guidelines are developed, and technological changes are put into place within systems. Some costs are also expected as the Authority and Boards respond to member inquiries about training requirements, availability and reporting. While cultural competence continuing education (CE) is not required of regulated health care professionals in Oregon, the Boards identified within HB2611 will be required to report on whether or not their respective member professionals have participated in this type of CE since their last renewal.

The Authority may accept gifts, grants or contributions from any public or private source for the purpose of carrying out these rules. The Authority is not currently aware of any grants that would help mitigate the impact of these rules but may pursue any opportunities discovered.

Positive impact:

Addressing costly health disparities by strengthening the cultural competence of Oregon's health care workforce is a foundational strategy of Oregon's Action Plan for Health, with a growing body of local and national evidence supporting this approach. Achieving a culturally competent workforce will help to ensure the Authority meets its triple aim goals for all Oregonians and create long-term reductions in health care costs.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There will be some fiscal impact to the Authority and the Boards. The primary costs will be incurred in the early stages of implementation. The initial costs will be spread over the first two years during the timeline for full implementation (Jan 1, 2017). Costs may be mitigated by bundling these changes with other required changes and updates to forms and systems. Costs may include developing approved curricula, adding questions to data systems, entering data, migrating responses to data warehouses, or developing reports depending on the responsibilities and practices of each individual Board.

These rules will impact administrative activities for the Authority and the Boards, including reporting and record keeping and the development, modification or upgrade of information systems. The Authority anticipates that the completion of tasks within existing agency resources allocated to manage the overall change and regular process improvements.

There will be minimal fiscal impact on the Authority's Office of Equity and Inclusion (OEI) to provide technical assistance or alternative suggestions for reporting to facilitate adoption of the rules, as well as staffing an advisory committee and producing the biennial report.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

There is no anticipated cost to small businesses, unless individual Board licensees are also licensed as a "small business" under ORS 183.336.

b. Projected reporting, record keeping and other administrative activities required for compliance, including costs of professional services:

Costs to individual licensees that may be licensed as small businesses will be minimal and primarily confined to the amount of time required to answer additional questions related to their continuing education credits in an already required reporting process. These rules do not require that individual licensees take continuing education opportunities beyond the current requirements of their licensing Boards.

c. Equipment, supplies, labor and increased administration required for compliance: No additional equipment, supplies, labor or administration is anticipated.

How were small businesses involved in the development of this rule? Rules advisory committee meetings were held and were open to the public with telephone and webinar options. However, no specific small businesses were included because of the agency's inability to identify specific small businesses that will be impacted. Though some individual licensees could meet the definition in ORS 183.336, the agency is unable to make a determination about this possibility.

Administrative Rule Advisory Committee consulted? Yes, a Rule Advisory Committee made up of health care professional boards, associations, coordinated care organizations, and non-profit agencies were included in the rule making process (membership roster is located here: <http://www.oregon.gov/oha/oei/Pages/HB-2611-RAC.aspx>). The committee was provided a copy of a draft of the Statement of Need and Fiscal Impact and asked to provide comments regarding fiscal impacts of implementation.

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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