

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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ARCHIVES DIVISION
SECRETARY OF STATE

Oregon Health Authority, Public Health Division
Agency and Division

333
Administrative Rules Chapter Number

Update of the School-Based Health Center (SBHC) certification process and requirements

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

In the Matter of:

Permanently adopting and amending administrative rules in chapter 333, division 28 pertaining to School-Based Health Center (SBHC) certification requirements

Statutory Authority:

ORS 413.223

Other Authority:

Statutes Implemented:

ORS 413.223, 413.225

Need for the Rule(s):

The School-Based Health Center (SBHC) Program supports communities in promoting the health and well-being of the school-age population through the evidence-based best practice within a public health framework. These rules (OAR 333-028-0220 through 333-028-0250) outline the procedure and criteria the Oregon Health Authority (OHA) shall use to certify, suspend and decertify SBHCs. Certification of a SBHC by the SBHC state program is voluntary; an operating clinic is free to choose not to participate in certification and still operate. Only certified SBHCs are eligible for funding from the OHA.

Requirements for certified SBHCs are outlined in the SBHC Standards for Certification (2014). In 2015 the SBHC Program convened a stakeholder workgroup to reexamine the Standards for Certification (2014) and (1) identify and address any areas in need of clarification; (2) update sections to align with current best practice; and (3) continue to adapt the Standards for Certification to support operations and advance quality healthcare in a school setting. The workgroup produced a revised Standards for Certification, Version 4. The SBHC rules (OAR 333-028-0220 through 333-028-0250) need to be revised to align with the new Standards structure and content.

Documents Relied Upon, and where they are available:

1. SBHC Standards for Certification (2014): <http://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Documents/CertificationStandards2014.pdf>
2. SBHC Standards for Certification, Version 4: http://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Documents/SBHC%20Certification/SBHCCertificationStandards_EDITED_ACCEPTED.pdf
3. 2015-2016 Standards for Certification Review stakeholder meeting documents: <http://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Pages/index.aspx>

Fiscal and Economic Impact:

Funds to operate the SBHC Program were allocated through the 2015 Legislature. No economic impact on state agencies or individual members of the public is expected. Local Public Health Authorities (LPHAs) receive OHA SBHC Program funding according to the rules outlined in OAR 333-028-0260. However, becoming a state certified SBHC is entirely voluntary; therefore any entity can operate a school-based clinic independently without being certified. No changes have been proposed to the rules regarding OHA SBHC Program funding.

Statement of Cost of Compliance:

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

The updated Standards for Certification, Version 4 contain only minor changes from the previous version; most edits to Version 4 are for clarity or rearrange existing sections from the 2014 Standards. However a few sections contain minor edits that may impact a small number of SBHCs. For example, in the 2014 Standards only SBHCs serving middle and high school aged students were required to provide testing for sexually transmitted infections (STIs), including HIV. In Version 4, these requirements have been updated to require all SBHCs, including SBHCs serving elementary school aged students, to make testing available for STIs. These changes will impact 6 SBHCs out of 77 currently certified SBHCs. The SBHC Program will work with the impacted SBHCs to implement these testing services at their SBHCs. Certified SBHCs

will have a school year to bring their SBHCs up to compliance before Version 4 goes into effect.

These rules do not have a direct cost of compliance on any other state agencies or the public. Most currently certified SBHCs already meet the requirements outlined in the Standards for Certification, Version 4. We therefore anticipate minimal impact on currently certified SBHCs to be able to meet these Standards. LPHAs may have a cost of compliance if they are operating an existing clinic that has additional needs in order to meet the Standards. However we are unable to estimate the cost of meeting the updated Standards because it is dependent on the existing clinic's infrastructure and clinic model.

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

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

There are no SBHCs that are operated by small businesses.

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

No SBHCs are operated by small businesses and therefore there are no projected reporting, recordkeeping and other administrative activities required for compliance of small businesses.

c. Equipment, supplies, labor and increased administration required for compliance:

No SBHCs are operated by small businesses and therefore there are no projected equipment, supplies, labor and increased administration required for compliance of small businesses.

How were small businesses involved in the development of this rule?

No SBHCs are operated by small businesses and therefore no small businesses were involved in the development of this rule.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

11-22-2016 5:00 p.m.	Brittany Sande	brittany.a.sande@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address