

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

Oregon Health Authority, Public Health Division
Agency and Division

333
Administrative Rules Chapter Number

Criteria for eligibility of school-based health center funding and grant awards

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

In the Matter of:

The adoption of Oregon Administrative Rules in chapter 333, division 28 pertaining to School-Based Health Centers

Statutory Authority:

ORS 413.225

Other Authority:

Statutes Implemented:

OL 2013, ch. 683, ORS 413.225

Need for the Rule(s):

The Oregon Health Authority (OHA), Public Health Division is proposing to adopt permanent rules pertaining to the criteria for continuation funding for certified school-based health centers (SBHCs), awarding grants to communities planning for certified SBHCs, and incentive funding to: (1) increase the number of SBHCs as patient-centered primary care homes; (2) improve the coordination of the care of patients service by coordination care organizations and school-based health centers; and (3) improve the effectiveness of the delivery of health services through school-based health centers to children who qualify for medical assistance as mandated by the passage of House Bill 2445 by the 2013 Legislature. The proposed rules are intended to fulfill the mandates by prescribing the criteria for eligibility of funding and grant awards.

SBHCs have existed in Oregon since 1986. As the program has matured, other state programs and agencies are partnering with SBHCs and referring to SBHCs in rule, but there was no statutory definition for SBHCs until the passage of HB 2445. The passage of HB 2445 amended ORS 413.225, requiring OHA to adopt rules addressing the criteria for awarding grants and providing funds to communities planning for SBHCs, communities with certified SBHCs and use of incentive pool funds.

Documents Relied Upon, and where they are available:

1. ORS chapter 413 <http://www.leg.state.or.us/ors/413.html>
2. HB 2445 <http://www.leg.state.or.us/13reg/measpdf/hb2400.dir/hb2445.en.pdf>
3. The SBHC Standards for Certification. <http://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Pages/certification.aspx>

Fiscal and Economic Impact:

The expansion and continuation funding for certified SBHCs, in addition to incentive funding to: (1) increase the number of SBHCs as state-recognized patient-centered primary care homes; (2) improve coordination of care of patients served by coordinated care organizations and SBHCs; and (3) improve the effectiveness of the delivery of health services through SBHCs to children who qualify for medical assistance were allocated to the SBHC State Program Office through the 2013 Legislature. These rules have no fiscal or economic impact on state agencies. There may be some fiscal and economic impact to those entities applying for planning or incentive funds, however it is difficult to determine the amount. It is a local decision on how much to invest on submitting an application for the competitive proposal for planning and incentive funds. The criteria for the applications will be based on the request for proposals. Based on the rules, the entities that are eligible for funding are already in existence so there is not additional fiscal impact based on the eligibility.

If awarded funds, there would be a positive fiscal impact to those communities with awarded applicants to support SBHC activities.

Becoming certified as a school-based health center by the state SBHC program is entirely voluntary; therefore, an operating clinic is free to choose not to participate if they choose not be recognized as a state-certified SBHC. Any entity may also plan for a SBHC or do incentive activities without additional state funding.

Statement of Cost of Compliance:

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

These rules do not have a direct cost of compliance on any other state agency. Other public entities, such as local public health authorities and school/school districts may experience a cost in applying for planning grants or incentive grant funds if eligible. We are unable to determine the exact amount because it is a local decision on how much to invest in submitting an application for the competitive proposal for planning and incentive funds. Some entities may already have existing information for the proposal, where others may have to do some additional work to collect proposal information. We do not anticipate a cost to meeting the criteria for the continuation funds for certified SBHC because there are no additional activities beyond certification to receive funding. There is no cost of compliance impact on the public.

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:

We are unable to determine the number of small businesses that may be effected by the rules. There are currently no SBHCs operated by small businesses so there would be no effect regarding the continuation funds for certified SBHCs. Applying for the planning or incentive grants is a voluntary process and therefore we are unable to determine who would be interested at this time. The types of small businesses that fit the criteria would be a "person that can demonstrate a significant interest and involvement in establishing, assisting or coordinating with SBHCs".

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

Any reporting, recordkeeping and administrative activities would be part of the information in the request for proposals. There are currently no open proposal requests and therefore we are unable to project the exact reporting, recordkeeping and administrative activities. There may be costs associated with completing the request for proposal, however, because it is a local decision on how much and where to invest, we are unable to project the cost associated with those activities.

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

We do not anticipate any cost associated with equipment, supplies and labor in order to be in compliant. There may be administration costs related to the application process of responding to the request for proposals.

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

Small businesses were not specifically involved in the development because there are currently no small businesses operating SBHCs.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

03-14-2014 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

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