

**A-Engrossed**  
**House Bill 2522**

Ordered by the House June 30  
Including House Amendments dated June 30

Sponsored by Representative CLEM; Representatives EVANS, KENY-GUYER, OLSON (Presession filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Creates Islander Health Coverage Gap Assessment Office in Oregon Health Authority to promote access to health care for island citizens residing in United States under Compact of Free Association. Appropriates moneys.]*

**Directs Department of Consumer and Business Services to develop, no later than September 15, 2016, recommendations to Legislative Assembly for creation of premium assistance program to enable low-income individuals residing in Oregon under Compact of Free Association to purchase health insurance through health insurance exchange.**

**Sunsets January 2, 2018.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to health care for Pacific Islanders legally residing in the United States under a Compact  
3 of Free Association treaty; and declaring an emergency.

4 Whereas shortly after World War II, the United States assumed administration of the Trust  
5 Territory of the Pacific Islands, under a United Nations strategic trusteeship that provided for  
6 American control over development of the islands' economies and international relations and gave  
7 the United States military access to territory within the islands; and

8 Whereas the United States was allowed by the United Nations to treat the islands as a strategic  
9 trust territory, and so the United States Atomic Energy Commission established the Pacific Proving  
10 Grounds in the Marshall Islands and tested 67 atmospheric nuclear weapons between 1946 and 1958;  
11 and

12 Whereas some of the testing in the trustee territories caused nuclear fallout on a number of the  
13 islands, including several that were inhabited; and

14 Whereas some island citizens were residing in the vicinity of the Pacific Proving Grounds, and  
15 their descendants continue to exhibit medical conditions that may have resulted from exposure to  
16 the nuclear fallout that is still measurable on some islands; and

17 Whereas the area now includes three groups of islands, called the Compact of Free Association  
18 (COFA) islands, that are independent nations and include the Republic of Palau, the Republic of the  
19 Marshall Islands and the Federated States of Micronesia; and

20 Whereas, notwithstanding the COFA islands' independent nation status, the economies of these  
21 islands are heavily dependent on United States government grants under the COFA treaty and the  
22 United States military presence; and

23 Whereas treaties arising out of the special and unique relationship that has existed between the  
24 three COFA island nations and the United States allow island citizens to enter the United States

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 without work permits or visas to study, live and work and to access benefits available to United  
2 States citizens, such as driver licenses and health care; and

3 Whereas, since the COFA treaties went into effect in 1986, stagnant island economies have made  
4 it difficult for island citizens to find jobs or obtain a decent education, so island citizens have moved  
5 to the United States for education and work opportunities; and

6 Whereas COFA island citizens volunteer to serve in the United States armed services at a  
7 higher per capita rate than United States citizens; and

8 Whereas, while the United States retains a strong military and economic presence in the COFA  
9 islands, recently some states and the United States Congress have unilaterally reduced some bene-  
10 fits, including access to driver licenses and health care, for the COFA island citizens residing in the  
11 United States; and

12 Whereas the COFA island families residing in this country should be fairly treated in recogni-  
13 tion of the special and unique relationship between the COFA islands and the United States and of  
14 the need for the United States to maintain a strong military and economic presence in the COFA  
15 islands; and

16 Whereas many of the benefits and services denied to COFA island citizens are administered by  
17 states, and the United States Congress has not taken steps to extend federal government services  
18 to COFA island citizens residing in the United States; now, therefore,

19 **Be It Enacted by the People of the State of Oregon:**

20 **SECTION 1. (1) As used in this section:**

21 **(a) “COFA islander” means an individual who legally entered the United States under a**  
22 **Compact of Free Association treaty between the United States and any of the following**  
23 **countries:**

24 **(A) The Republic of Palau.**

25 **(B) The Republic of the Marshall Islands.**

26 **(C) The Federated States of Micronesia.**

27 **(b) “Health insurance exchange” has the meaning given that term in ORS 741.300.**

28 **(c) “Premium assistance” means the payment or reimbursement of premium costs for a**  
29 **qualified health plan and the out-of-pocket costs associated with receiving services covered**  
30 **by the plan.**

31 **(2) The Department of Consumer and Business Services shall develop recommendations**  
32 **for the creation of a premium assistance program for low-income COFA islanders to enable**  
33 **them to purchase health benefit plans through the health insurance exchange and to pay the**  
34 **out-of-pocket expenses incurred under the plans.**

35 **(3) The recommendations may include, but are not limited to:**

36 **(a) Eligibility requirements;**

37 **(b) The amount of assistance;**

38 **(c) How the assistance should be distributed among eligible individuals; and**

39 **(d) The cost and financing of the program, including whether federal funds or other funds**  
40 **may be available.**

41 **(4) The department shall convene an advisory group that includes COFA islanders from**  
42 **each of the affected communities and other stakeholders to assist and advise the department**  
43 **in developing the recommendations.**

44 **(5) The department shall report its recommendations to the Legislative Assembly and to**  
45 **the interim committees of the Legislative Assembly related to health, in the manner pro-**

1 vided in ORS 192.245, no later than September 15, 2016.

2 SECTION 2. Section 1 of this 2015 Act is repealed on January 2, 2018.

3 SECTION 3. This 2015 Act being necessary for the immediate preservation of the public  
4 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
5 on its passage.  
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