

# House Bill 2522

Sponsored by Representative CLEM (Pre-session 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 **as introduced**.

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.

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

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

30 Whereas COFA island citizens volunteer to serve in the United States armed services at a

**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 higher per capita rate than United States citizens; and

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

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

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

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

14 **SECTION 1. (1) As used in this section, “islander” means an individual who legally en-**  
 15 **tered the United States under a Compact of Free Association treaty between the United**  
 16 **States and any of the following countries:**

- 17 (a) **The Republic of Palau.**
- 18 (b) **The Republic of the Marshall Islands.**
- 19 (c) **The Federated States of Micronesia.**

20 (2) **The Islander Health Coverage Gap Assessment Office is established within the Oregon**  
 21 **Health Authority. The office shall promote access to health care for islanders and ensure**  
 22 **that islanders have the same access to health care as United States citizens residing in**  
 23 **Oregon.**

24 (3) **The Director of the Oregon Health Authority shall employ persons necessary for the**  
 25 **performance of the functions of the office.**

26 (4) **The office shall report to the Legislative Assembly or to the appropriate interim**  
 27 **committees of the Legislative Assembly in the manner provided in ORS 192.245:**

- 28 (a) **At least once each calendar quarter on the progress made and the problems en-**  
 29 **countered in carrying out its duties under this section; and**
- 30 (b) **Prior to implementing or participating in any programs developed by the office.**

31 **SECTION 2. The Director of the Oregon Health Authority may take any action before the**  
 32 **operative date of section 1 of this 2015 Act that is necessary to enable the director to exer-**  
 33 **cise, on and after the operative date of section 1 of this 2015 Act, the duties, functions and**  
 34 **powers of the director under section 1 of this 2015 Act.**

35 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**  
 36 **ated to the Oregon Health Authority, for the biennium beginning July 1, 2015, out of the**  
 37 **General Fund, the amount of \$100,000, which may be expended for carrying out the provisions**  
 38 **of section 1 of this 2015 Act.**

39 **SECTION 4. Section 1 of this 2015 Act becomes operative on January 1, 2016.**

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