

FISCAL IMPACT OF PROPOSED LEGISLATION

79th Oregon Legislative Assembly – 2017 Regular Session
Legislative Fiscal Office

Measure: HB 3440

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Linda Ames, Gregory Jolivette, John Borden, Steve Bender
Date: 5/11/2017

Measure Description:

Specifies that Oregon Health Authority may use prescription monitoring information to determine whether practitioners are prescribing opioids or opiates in compliance with guidelines for prescribing opioids and opiates.

Government Unit(s) Affected:

Oregon Health Authority, Oregon Medical Board, Board of Nursing, Board of Dentistry, Board of Naturopathic Examiners, Oregon Board of Pharmacy, Department of Justice, Oregon Judicial Department (OJD), Legislative Assembly, Office of the Governor, Department of Consumer and Business Services (DCBS)

Analysis:

House Bill 3440:

- Directs the Oregon Health Authority (OHA) to use information from the Prescription Drug Monitoring Program to: (1) adopt rules establishing guidelines for prescribing opioids and opiates in accordance with the Oregon Opioid Prescribing Guidelines: Recommendations for the Safe Use of Opioid Medications, as endorsed by the Oregon Medical Board in January 2017; and (2) determine annually whether each practitioner prescribing opioids and opiates are in compliance with these rules. The bill authorizes OHA to inform the appropriate health professional regulatory board of its determination. Health professional regulator boards are required to provide educational materials and training to practitioners.
- Requires OHA to develop and regularly update on its website a searchable inventory of opioid and opiate abuse or dependency treatment providers in Oregon, including treatment options offered, and maximum capacity. OHA is directed to determine whether identifiable geographic regions have sufficient treatment options. OHA must report this data, as well as statistics on the total number of opioid and opiate overdose, to the Legislature by September 15th of each year.
- Creates the Task Force on Opioid and Opiate Abuse and Dependency charged with studying opioid and opiate abuse and dependency. The Office of Governor, OHA, the Department of Justice, and two legislators are required to participate on the task force. OHA is required to provide staffing support. The task force must submit its findings and recommendation to the Legislature by September 15, 2018. The Task Force sunsets on December 31, 2018.
- Removes special training requirement from statutes governing prescribing, dispensing, and distributing naloxone.
- Prohibits insurers, when reimbursing the cost of inpatient treatment for opioid or opiate abuse or dependency, from requiring prior authorization of payment for the first two weeks of treatment or for the cost of initial 30-day supply of medication prescribed for purpose of treating opioid or opiate abuse or dependency.
- Specifies that an individual may not be denied entry into specialty court in Oregon solely because that individual is taking, or intends to take, medication prescribed by a licensed health care practitioner for treatment of drug abuse or dependency.

Oregon Health Authority (OHA)

	2017-19 Biennium	2019-21 Biennium
Prescription Drug Monitoring Program carry-over*		
Personal Services	136,469	181,958
Services and Supplies	48,961	46,110
Total Other Funds	\$185,430	\$228,068
Personal Services	94,595	94,595
Services and Supplies	19,075	19,075
Total General Fund	\$113,670	\$113,670
Personal Services	94,595	94,595
Services and Supplies	18,687	18,687
Total Federal Funds	\$113,282	\$113,282
Personal Services	189,190	189,190
Services and Supplies	37,762	37,762
TOTAL FUNDS	\$226,952	\$226,952
Positions	2	2
FTE	1.75	2.00

OHA estimates the fiscal impact of carrying out the work required by this bill to be \$226,952 Total Funds, 2 positions, and 1.75 FTE for the 2017-19 biennium. This amount reflects the personal services and related services and supplies for two full-time, permanent positions:

- One Operations and Policy Analyst to develop rules regarding state prescribing guidelines, communicate with health professional regulatory boards, update the searchable inventory of treatment providers, and provide support for the task force, including preparing annual reports.
- One Epidemiologist to construct metrics and thresholds to conduct annual analysis of prescribing for each of the 19,000 prescribers. In addition, this position would produce the quarterly reports, help distribute quarterly reports to persons whose practice may have potential problems related to findings, participate in the task force, and help develop rules. This position will require a high-level data management computer and additional software necessary to complete the data analysis. There will also be quarterly publication and distribution expenses.

*This amount represents 2015-17 Prescription Drug Monitoring Program carry-over that OHA will use to partially fund the provisions of this bill.

Passage of this bill is anticipated to have minimal fiscal impact for the Oregon Medical Board, the Board of Nursing, the Board of Dentistry, the Board of Naturopathic Examiners, the Oregon Board of Pharmacy the Department of Justice, the Oregon Judicial Department, the Legislative Assembly, the Office of the Governor, and the Department of Consumer and Business Services (DCBS).