April 10, 2015 Amendments – represent the collective input from Multnomah, Lane, Clackamas, Association of Oregon Counties and the Coalition of Local Health Officials.

**1. Clarify definitions for Local Public Health Authority and Governing Body of Local Public Health Authority**

SECTION 2.

**(a) A Board of County Commissioners;**

(b) A board described in ~~ORS 431.410~~ or 431.414 (2) or established under ~~ORS 431.412~~ or 431.414 (3); or

(c) **The Board of an** intergovernmental entity created by an agreement pursuant to ORS 190.010 (5) for the purpose of providing public health services.

(7) ‘Local public health authority’ means:

(a) A county **government;**

(b) A health district formed under ORS 431.414; **OR**

Conforming – Repeal ORS 431.410, ORS 431.412 except for ORS 431.412(5) should remain and local advisory boards should be authorized and reinserted in Section 26(4).

**Add ORS 431.412(5) to Section 26 (4)** - The governing body of the ~~county~~ **local public health authority** may appoint a public health advisory board for terms of four years, the terms to expire annually on February 1.

**2. Fix emerging best practice language**

SECTION 20 (2) – Prevention of injury and disease and promotion of health programs must be based on ~~emerging,~~ evidence-based **or emerging** best practices designed to improve health outcomes for all populations.

**3. Clarify responsibilities of the Local Public Health Authority –**

SECTION 25. ORS 431.416 is amended to read:

(2) ~~A local public health authority may adopt, implement, monitor, evaluate and modify a local community health improvement plan described in subsection~~ **A local public health authority will perform the duties outlined in** (1)(~~c)~~ **(a- h)** of this section:

(a) As an individual county, ~~even if the local public health authority is composed of two or more counties pursuant to ORS 431.414;~~

(b) Jointly with any other county pursuant to an agreement between the counties, for any individual program or activity; or

(c) As a health district, if the local public health authority is composed of two or more counties ~~pursuant to ORS 431.414~~. [Mark – does this include the new definition for intergovernmental entities?]

**4. Clarify coordination of plans with mental health and CCOs is the local public health community health improvement plan.**

Move Section 27 (3) to a new Section 25 (4)

**5. Clarify relationship between Oregon Health Policy Board and Public Health Advisory Board**

Section 5 (1)(a) The Oregon Public Health Advisory Board **is a standing committee of the Oregon Health Policy Board as described in ORS 413.016**, consisting of:

**6. Clarify the funding formula and oversight of funds by the Public Health Advisory Board**

Section 4 - Oregon Health Authority shall:

**(l) Work with Local Public Health Authorities on developing the total cost of implementing the Foundational Capabilities and Programs as identified in community modernization assessments.**

Section 7 – The Public Health Advisory Board shall:

(6) Make recommendations to the Oregon Health Policy Board on the development of and any modification to plans developed under section 4 of this 2015 Act for the distribution of funds to local public health authorities **and the Oregon Health Authority for the purposes of implementing Foundational Capabilities established under Section 9 and Foundational Programs established under Section 17**

**(12) Make recommendations to the Oregon Health Policy Board on the full cost of statewide implementation of the Foundational Capabilities established under Section 9 and Foundational Programs established under Section 17 for an Efficient Public Health System**

Section 28 – ORS 431.380

1. From moneys available to the Oregon Health Authority ~~in the Local Public Health Authority Distributions Fund~~ for the purpose of funding the foundational capabilities established under section 9 of this 2015 Act and the foundational programs established under section 17 of this 2015 Act, the Oregon Health Authority shall make payments to local public health authorities under this section. The Oregon Health Authority shall each biennium ~~adopt by rule a~~ **submit to the Public Health Advisory Board a** formula that provides for the equitable distribution of moneys. As a part of the formula, the Oregon Health Authority shall:

(a) Establish a baseline **floor** amount to be invested in local public health activities and services by the state;

~~(b) Establish a percentage of moneys available to the Oregon Health Authority for the purpose of funding the foundational capabilities established under section 9 of this 2015 Act and the foundational programs established under section 17 of this 2015 Act, and all other moneys available to the Oregon Health Authority for administering public health programs and public health activities in this state, that is necessary for each local public health authority to fulfill its duties under sections 9 to 24 of this 2015 Act and the other public health laws of this state.~~

~~(c)~~ **(b)** Establish a method for awarding matching funds to a local public health authority that invests in local public health activities and services above the baseline amount established by the Oregon Health Authority for that local public health authority; and

~~(d)~~ **(c)** Provide for the use of incentives as described in subsection (5) of this section.

~~(2) With respect to counties that have established joint public health services [with another county, either by agreement or the formation of a district board of health] under ORS 431.414, [distribution of funds] payments made [available] under the provisions of this section [shall] must be prorated to [such] the counties as provided by agreement or [under] as provided by ORS 431.510.~~

(3) The formula adopted under subsection (1) of this section must be submitted to the Legislative Fiscal Office no later than June 30 of each even-numbered year.

(4) In establishing a baseline amount for the purpose of awarding matching funds under subsection (1)(c) of this section, the Oregon Health Authority shall consider the population of each local public health authority, **the burden of disease and health status of the community,** and the ability of each local public health authority to invest in local public health activities and services.

(5) The Oregon Health Authority shall adopt by rule incentives to encourage the effective and equitable provision of public health services by local public health authorities.

(6) Nothing in this section prohibits the Oregon Health Authority from distributing funds to a local public health authority through a competitive contract or grant process or on the basis of need **for Foundational programs established by Section 17 of this Act**.

SECTION 29. If the Oregon Health Authority fails to distribute an amount of moneys to a local public health authority ~~equal to the percentage established under ORS 431.380 (1)(b),~~ **~~or~~ at or above the baseline floor established in (1)(a),** a local public health authority may request to transfer responsibility for fulfilling the local public health authority’s duties under sections 9 to 24 of this 2015 Act and the other public health laws of this state to the Oregon Health Authority. If a local public health authority requests to transfer responsibilities under this section, the moneys available to the local public health authority under ORS 431.380 revert to the Oregon Health Authority. A request to transfer made under this section must be made in the form and manner prescribed by the Oregon Health Authority and takes effect 180 days after the Oregon Health Authority receives the request.

Delete Section 30

**7. Clarify funds to be paid back are those allocated to Local Public Health Authorities**

SECTION 35. (2) The director may *[call to the aid of the director such]*request assistance as [*is]* necessary [for the enforcement of such statutes and rules] to fulfill the director’s duties under subsection (1) of this section, the expense of which shall be borne by the *[county or district making the use of this procedure necessary,]* local public health authority over which the director took charge, to be paid out of **funds provided to**the local public health authority **to perform such duties**upon receipt of vouchers properly certified by the director, except that payment is not required if the local public health authority requests a transfer under section 29 of this 2015 Act.