



February 20, 2020

Meeting of the Oregon Coalition of Local Health Officials

Executive Members Present: Jocelyn Warren CLHO Chair, Lane; Carrie Brogoitti, Vice-Chair, Center for Human Development Union; Katrina Rothenberger, Secretary/Treasurer, Marion; Joseph Fiumara, Coalition of Local Environmental Health Specialists, Umatilla; Muriel DeLaVergne-Brown, Crook, CLHO Legislative Committee Co-Chair; Charlie Fautin, Benton, CLHO Legislative Committee Co-Chair; Dr. Pat Luedtke, Health Officer's Rep; Lindsey Manfrin, Public Health Administrators of Oregon, Yamhill

Members Present:

- | | | |
|---------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Baker – Nancy Staten | <input type="checkbox"/> Hood River – Trish Elliot | <input checked="" type="checkbox"/> North Central PHD – Teri Thalhofer |
| <input checked="" type="checkbox"/> Benton – Charlie Fautin | <input checked="" type="checkbox"/> Jackson – Jackson Baures | <input checked="" type="checkbox"/> Polk – Kristty Polanco |
| <input type="checkbox"/> Clackamas – Julie Aalbers | <input checked="" type="checkbox"/> Jefferson – Mike Baker | <input type="checkbox"/> Tillamook – Marlene Putman |
| <input type="checkbox"/> Clatsop – Mike McNickel | <input checked="" type="checkbox"/> Josephine – Audrey Tiberio | <input checked="" type="checkbox"/> Umatilla – Joseph Fiamara |
| <input type="checkbox"/> Columbia – Mike Paul | <input checked="" type="checkbox"/> Klamath – Jennifer Little | <input checked="" type="checkbox"/> Union – Carrie Brogoitti |
| <input checked="" type="checkbox"/> Coos – Florence Poutal-Stevens | <input checked="" type="checkbox"/> Lake – Judy Clarke | <input checked="" type="checkbox"/> Washington – Tricia Mortell |
| <input checked="" type="checkbox"/> Crook – Muriel DeLaVergne-Brown | <input checked="" type="checkbox"/> Lane – Jocelyn Warren | <input type="checkbox"/> Wheeler – Karen Woods |
| <input type="checkbox"/> Curry – Sherrie Ward | <input checked="" type="checkbox"/> Lincoln – Rebecca Austen | <input checked="" type="checkbox"/> Yamhill – Lindsey Manfrin |
| <input checked="" type="checkbox"/> Deschutes – Heather Kaisner | <input type="checkbox"/> Linn – Glenna Hughes | |
| <input checked="" type="checkbox"/> Douglas – Bob Dannenhoffer | <input checked="" type="checkbox"/> Malheur – Sarah Poe | <input checked="" type="checkbox"/> HO Caucus – Pat Luedtke |
| <input type="checkbox"/> Grant – Jessica Winegar | <input checked="" type="checkbox"/> Marion – Katrina Rothenberger | <input checked="" type="checkbox"/> CLEHS Caucus – Joseph Fiumara |
| <input type="checkbox"/> Harney – Jolene Cawfield | <input checked="" type="checkbox"/> Morrow – Sheree Smith | <input type="checkbox"/> AOPHNS – vacant |
| | <input checked="" type="checkbox"/> Multco – Adelle Adams | <input checked="" type="checkbox"/> Lindsey Manfrin, Public Health Administrators |

Public Health Division: Danna Drum, Cara Biddlecom

Coalition of Local Health Officials: Morgan Cowling, Sierra Prior

Guests: No guests



Agenda Review: No changes to the agenda.

January Minutes

Motion: Charlie Fautin motioned to approve January Minutes. Kristty Polanco seconded. No objections. Board approved.

CLHO Budget Committee Recruitment

Katrina Rothenberger, Secretary/Treasurer, requested volunteers to develop the next fiscal year budget, which is May to June. Morgan Cowling said the time commitment is 2-3 phone meetings between now and April. Projected dues and membership are posted a month in advance for approval in April.

Volunteers: Bob Dannenhoffer, Muriel DeLaverigne-Brown, Kristty Polanco

NACCHO Hill Visit Day

Sierra Prior informed the board that she will be attending the NACCHO Leadership Conference from February 24-26 to represent CLHO as Oregon's SACCHO. The conference includes meeting with other SACCHO's and Capitol Hill visits with Oregon's congressional delegation. Rachel Banks from Multnomah County will also attend as part of the Big Cities Health Coalition. Sierra Prior shared that she is developing a one-pager on Oregon's SACCHO and seeks input, and that she was also instructed to be prepared to discuss Oregon's local response to Coronavirus. Sierra Prior asked if Board Members would respond to a brief survey about their work to prepare. The Board expressed support for the brief survey. Sierra Prior said that it would be made available by the end of the day and that responses would be needed by tomorrow.

Muriel DeLaVergne-Brown encouraged everyone from Oregon to apply for the NACCHO Board the next time there is an opening. Charlie Fautin raised the importance of messaging the need for sustainable ongoing funding to increase in capacity, and that short term transient or incident specific funding doesn't help enough. Jocelyn Warren brought up WIC funding. Tricia Mortell said that one issue is funding needed to distribute the WIC food budget, as funding failed to continue to meet the local needs. Danna Drum offered to get talking points on the parts of the WIC budget that are getting squeezed. Teri Thalhoffer said her commissioners are supporting Sen. Merkely's bill to continue access to Medicaid before conviction.



Oregon Public Health Decision-Makers Map

Sierra Prior informed the Board that a new resource is available to explain public health policy and administration decision-making. (Posted in CLHO Meeting Materials). Sierra Prior requested that the Board continue to share any feedback they may have to improve conveying this complex information.

CLHO Legislative Committee Recommendations

Charlie Fautin directed everyone to the bill list posted in the meeting materials. The list has 27 bills, but only 8 have an official CLHO position. Legislative Committee is meeting twice a month, which doesn't seem to be enough due to how fast things are moving. There aren't any additional recommendations for this month but the agenda item was added as a placeholder, just in case.

2020 Session Update

Morgan Cowling gave an update. With a 35 day session, timelines are tight. Today is the deadline for policy bills to be scheduled for a work session in the second chamber. First chamber deadlines have already passed. Policy committees will be shutting down. Exceptions for the deadlines apply to the Ways and Means, Revenue, and Rules Committees. A potential partisan walkout feels as if it is looming every day. There's a lot of attention on the Cap and Invest bill. CLHO usually tries to limit the number of bills we track due to the size and capacity of our organization. In the update, Morgan focused on Priority-2 bills. CLHO doesn't have a Priority-1 bill that we are leading this session.

HB 4002: Study bill on long-term rental assistance – continuing to move through process.

HB 4005: Safe storage for firearms - CLHO has done very little to participate, currently in Rules Committee

HB 4078: Inhalant delivery systems online and phone sales ban – continuing to progress

HB 4127: Oral health in schools - regaining momentum in Ways and Means

HB 4132: Student Health Survey - PPAO incorporated some of CLHO's feedback but not components that increased fiscal impact, goal is to get dedicated funding for the survey

SB 1559: original e-cigarette flavor ban, limited relating cause – DEAD

SB 1577: e-cigarette flavor ban is now a gut and stuff for Tobacco Retail License

- CLHO's position on the original underlying bill was neutral and CLHO worked to get a more comprehensive flavor ban. Sara Hartstein testified on behalf of CLHO, Tricia Mortell also testified on behalf of Washington County also emphasizing the need for an enforcement mechanism. Sen. Monnes Anderson reviewed



amendments with her caucus and the committee adopted the amendment that was just TRL. In 2015, Oregon was in a different place, but now there are more TRL jurisdiction and more areas are on the cusp of implementing TRL.

- The current bill is built on that work to have a statewide license. It's a multifaceted bill that includes Dept. of Revenue (DOR), OHA, and LPHAs (all can collect fees and enforce). Currently the bill doesn't have any preemption. It establishes a new relationship between LPHAs and DOR.
- SB1577A is scheduled for a work session in the Human Services Subcommittee of Ways and Means. Morgan anticipates there will still be challenges in keeping out preemptions. Previously CLHO opposed preemptions related to pharmacies and proximity to schools. The NW Grocers Association is currently pushing for a pharmacy exemption. Sen. Monnes Anderson pulled together stakeholders and Morgan Cowling asked about whether the intent is to exempt pharmacies from things like a potential local ordinance banning e-cigarette flavors. Morgan Cowling has asked at least 5 stakeholders' lawyers if they interpret that preemption narrowly and it seems it is a narrow interpretation.
- Morgan Cowling asked if the CLHO Board can accept a neutral position on a potential preemption amendment and support the bill with the preemption. The preemption would preempt local ordinances from banning the co-location of tobacco retailers and pharmacies (allowing pharmacies to sell tobacco). Morgan expressed concern that a neutral position on the bill overall would mean no one would help the bill get through the legislative process.
- There has also been conversation around civil penalties, fee caps, and limits to one license.

Kristty Polanco asked how this would impact LPHAs that do not currently support TRL. Morgan Cowling believes that LPHAs may enter into an agreement with OHA to enforce TRL locally if they wish. Bob Dannenhofer said he could be neutral on the preemption. Jocelyn Warren raised question of enforcement again. Danna Drum said that if OHA delegates EH enforcement work to an LPHA, then OHA has to also delegate Indoor Clean Air Act enforcement. Morgan Cowling said in SB1577A that each LPHA may administer and enforce, but the LPHA is not required. OHA can ensure enforcement. Muriel DeLaverigne-Brown said she is in favor of going forward. Teri Thalhofer said she is fine with the concession. No one said that this concession was too much.

HB 4016

- CLHO has been pulled into conversations about HB 4016 (Amendment A11, page 4) that the Oregon Health Care Association introduced. The bill has a very large preemption restricting local government from being able to do anything related to long-term care facilities. It would not impact state mandated work. The



amendment stipulates that a local government may not enact or enforce a regulation on a LTCF, or impose fee that apply exclusively to LTCF, but does not apply to authority expressly given to LPHAs.

- Morgan Cowling has been working with county lobbyists on examples of what LPHAs have done that have would be limited by this (e.g. commercial kitchens, clean indoor air). This bill started from a convoluted issue based in Yamhill County. Muriel DeLaVergne-Brown pointed out this does nothing to improve health and safety. Morgan Cowling asked for more examples of local ordinances that would impact LTCF.

HB 4001: emergency shelters bill

- There's an idea to use Local public health as a backstop for health and safety reviews.
- Morgan Cowling has shared that public health shouldn't be the backstop for everything because there isn't enough resources, but there's an interest in making sure health and safety is being watched out for.

RAC Updates:

- **OSBN:** The RAC is now on "Protocols" not "Standing Orders". The meeting was short because they wouldn't allow people to repeat comments, and Morgan Cowling was stopped in the middle of her public comment. Morgan Cowling and the Oregon Primary Care Association met with the Governor's office to discuss policy challenges and to request a second meeting of the OSBN RAC since dialogue and discussion wasn't allowed in first meeting. The Governor's office connected with OSBN and OSBN says they intend to have a larger process. There will be another meeting in late March. The change in language is confusing, and it's unclear if it is a substantive or terminology change. Bob Dannenhoffer said the Secretary of State office is not interested in intervening, and that the rules as written would dramatically impact TB. Muriel DeLaVergne-Brown is concerned with the process, including the poor technology process to include all RAC members.
- **Universally offer home visiting:** Sierra Prior asked that if any LPHA plans to submit comments to please share them with CLHO. The latest draft rules are on the CLHO Website. Sierra Prior shared that she is concerned about language that may put too much onus on Lead Agencies to be accountable for the fiscal costs of expanding home visiting.
- **SB 253 – LPHA:** Updates are going out to the RAC soon.
- Bob Dannenhofer informed the Board of another RAC related to Lead screening

Adjourn