

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING (MOU) between the OREGON HEALTH AUTHORITY and the CONFERENCE OF LOCAL HEALTH OFFICIALS

INTRODUCTION

Purpose and Background

Per ORS 431.330, the Conference of Local Health Officials (CLHO) is established and membership is defined. Per ORS 431.340, CLHO may submit to the Oregon Health Authority (OHA) recommendations on:

- The establishment of foundational capabilities under ORS 431.131, the foundational programs under ORS 431.141 and any other public health program or activity under ORS 431.147;
- The adoption and updating of the statewide public health modernization assessment under ORS 431.115;
- The development of and any modifications to the statewide public health modernization plan under ORS 431.115; and
- The adoption of rules under ORS 431.350.

An effective relationship between OHA and CLHO is critical to a well-functioning governmental public health system to improve health for all people in Oregon, especially communities who historically experience health inequities. In addition to the statutory recommendations required of CLHO, OHA and CLHO seek to work together on an ongoing basis to strengthen the state and local parts of the governmental public health system in Oregon and address issues mutually affecting both OHA and CLHO members.

The purpose of this MOU is to outline mutually-agreed upon expectations for how OHA and CLHO will partner together.

Partnership Practices

OHA and CLHO have agreed upon the following shared practices to guide how they will partner together:

- Self-Awareness and Reflection

- Challenging Self/Bravery
- Speak Your Truth
- Curiosity
- Transformational Accountability

For more information, please see Appendix A attached to this document.

Partnership Goals

- OHA and CLHO planning and decision-making are proactive, transparent, shared and effectively communicated to the greatest extent possible.
- The state and local governmental components of Oregon's public health system are effective, coordinated and sustainable as they collaboratively, along with other public health system partners (e.g., Tribes, healthcare systems, coordinated care organizations, community-based organizations), seek to achieve optimal health and health equity for all people in Oregon.

Definitions

1. "Conference of Local Health Officials" or "CLHO" means the Conference of Local Health Officials created by ORS 431.330.
2. "Consultation" is the process of formally discussing a topic for the purpose of seeking more details, advice, or insights from those with specific expertise.
3. "Funding formula" means a standardized method for allocating funding.
4. "Governmental Public Health System" as defined in the Public Health Advisory Board charter¹ means a network of state and local public health authorities and government-to-government relationships with federally recognized Tribes. In Oregon's decentralized public health system, local and Tribal governments have authority over many public health functions

¹ Oregon Public Health Advisory Board Charter, November 2022, https://www.oregon.gov/oha/PH/ABOUT/Documents/phab/PHAB%20Charter_OHPB%20approved%2022-11.10.pdf

to ensure the health and well-being of every person in their jurisdictions.

5. “Intergovernmental Agreement” means an agreement established between OHA and each LPHA, often for the purposes of defining scopes of work and making funding awards. The Intergovernmental Agreement for the Financing of Public Health Services and the Intergovernmental Agreement for Environmental Health Services are the primary IGAs between OHA and each LPHA.
6. “Conference Executive Committee” means the executive committee created by ORS 431.330 .
7. “Local Public Health Administrator” or LPHA Administrator” has the meaning set forth in ORS 431.418.
8. “Local Public Health Authority” or “LPHA” has the meaning set forth in ORS 431.003(7).
9. “Public Health Advisory Board” or “PHAB” as established under ORS 431.122(2)(a).
10. “Public Health System” as defined in the Public Health Advisory Board charter² means a broad array of governmental public health authorities and partners working collectively to improve health through interventions that reach every person in Oregon with a focus on those experiencing health inequities. Partners include but are not limited to community-based organizations, regional health equity coalitions, health care and behavioral health providers, public safety agencies, faith-based institutions, schools, environmental agencies and the business sector.
11. “Program Element” means a description of the programmatic and service deliverables to be provided within the

² Oregon Public Health Advisory Board Charter, November 2022, https://www.oregon.gov/oha/PH/ABOUT/Documents/phab/PHAB%20Charter_OHPB%20approved%2022-11.10.pdf

Intergovernmental Agreement for the Financing of Public Health Services.

12. “Recommendation” means the act of presenting as worthy of confidence, acceptance or use to another entity.
13. “Out of scope” means CLHO does not make formal recommendations to OHA on these items, but may include things that members of CLHO participate in or discuss related to their day to day work as local public health practitioners.

SCOPE OF CONSULTATION AND RECOMMENDATIONS

LPHA Funding

Funding Principles³

OHA and CLHO, to the greatest extent possible, will use the following considerations when developing and making recommendations for any LPHA funding:

Public health system approach to foundational programs

1. Ensure that public health services are available to every person in Oregon, whether they are provided by an individual LPHA, a federally-recognized Tribe, through cross-jurisdictional arrangements, and/or by the Oregon Health Authority.
2. Align funding with burden of disease, risk, and state and community health assessment and plan priorities, while minimizing the impact to public health infrastructure when resources are redirected.

³ Adopted by Oregon Public Health Advisory Board (PHAB), July 2020, <https://www.oregon.gov/oha/PH/ABOUT/Documents/phab/public-health-funding-principles.pdf>. PHAB developed these principles with the intention for their broad use across public health funding streams when increases or decreases are being considered. Similarly, CLHO Systems and Innovation developed a tool for implementing the principles with similar intention for its broad use.

3. Use funding to advance health equity in Oregon, which includes directing funds to areas of the state experiencing a disproportionate burden of disease or where health disparities exist.
4. Use funding to incentivize changes to the public health system intended to increase efficiency and improve health outcomes, which may include cross-jurisdictional sharing.
5. Align public health work and funding to leverage resources with health care, education and other sectors to achieve health outcomes.

Transparency across the public health system

1. Acknowledge how the public health system works to achieve outcomes, and direct funding to close the identified gaps across the system in all governmental public health authorities.
2. Improve transparency about funded work across the public health system and scale work to available funding.

Funding Formulas, Frameworks and Allocations

1. Except where otherwise noted below or prohibited by law or specific funding requirements, CLHO makes recommendations to OHA on all LPHA funding, including funding formulas or other funding frameworks that do not use a funding formula.
2. OHA may allocate limited funding to LPHAs for specific purposes as allowed by program elements. Examples may include but are not limited to:
 - Funding for immunization storage equipment
 - Training and related costs
 - Mini-grants (\$5000 or less) for special projects

If the limited funding meets all of these criteria, consultation with CLHO prior to awarding the funds will not occur:

1. Funding is a one-time allocation;
2. The total amount of the funding is less than \$166,000; and

3. Funding is available to all LPHAs.

3. Per ORS 431.123, the Public Health Advisory Board (PHAB) is responsible for making recommendations about the distribution of Public Health Modernization funds to LPHAs.

To support LPHA engagement in the Public Health Modernization funding formula decision-making process by PHAB, OHA and CLHO will support opportunities for CLHO to learn about and provide input on the funding formula.

OHA will:

- Ensure LPHA input on the PHAB Incentives and Funding committee proposals, through CLHO and/or individual invitation.
- Ensure feedback gathered during a CLHO meeting for the PHAB committee is shared by the LPHA representatives on the committee or by OHA staff when LPHA representatives are unavailable.
- Consult with LPHA Administrators, through CLHO or other venues, before the PHAB Incentives and Funding Committee makes a funding formula recommendation to the PHAB.
- Submit to the PHAB Incentives and Funding Committee and the PHAB any formal CLHO recommendation (made by vote) to OHA about the Public Health Modernization funding formula for legislatively appropriated Public Health Modernization funds.

CLHO will:

- As needed, include on the CLHO agenda regular updates by LPHA representatives on the PHAB Incentives and Funding Committee on its activities.
- Support LPHA representatives on the PHAB Incentives and Funding Committee in sharing the CLHO feedback from CLHO meetings with the PHAB Committee.
- Submit in writing any formal CLHO recommendation (made by vote) about the Public Health Modernization funding formula for legislatively appropriated Public Health Modernization funds to OHA within one business week of the CLHO action.
- Provide input on additional aspects of public health modernization funding, as needed and requested by OHA (e.g.

total amount of regional public health modernization funding available, parameters for regional public health modernization funding).

Intergovernmental Agreements and Program Elements

Intergovernmental Agreements

OHA consults with CLHO on language changes to public health-related intergovernmental agreements between OHA and LPHAs. OHA also consults with LPHA counsels through the Oregon Department of Human Services (ODHS) and Oregon Health Authority County Contracts Group convened by the ODHS/OHA Office of Contracts and Procurement. Agreement language (e.g., agreement format, terms and conditions, insurance requirements.) is negotiated through that group and is reviewed by LPHA governing bodies when agreements are sent for signature by the ODHS/OHA Office of Contracts and Procurement.

Program Elements

CLHO makes recommendations to OHA on program element scopes of work and language through a formal vote. Recommendations are generally made by the assigned CLHO Committee to the CLHO board.

Program elements related to specific projects affecting up to three LPHAs do not require CLHO approval and instead are negotiated directly by OHA and the affected LPHAs.

Statewide Public Health Modernization Plan and Accountability Metrics

Per ORS 431.340, CLHO submits recommendations to OHA on the following:

- Adoption and updating of the Public Health Modernization Assessment and
- Development and modification of a statewide Public Health Modernization Plan.

Per OAR 333-014-0540, OHA consults with CLHO on proposed changes to PHAB established metrics (ORS 431.123) and the time, form and manner for reporting those accountability metrics data.

CLHO may make these recommendations using a variety of methods, as appropriate for the timeframe and topic. These methods may include but are not limited to:

- CLHO representation on OHA work groups;
- Review and recommendations by relevant CLHO Committees and CLHO;
- Regular updates and feedback opportunities on related activities during CLHO meetings; or
- Through another venue (e.g., virtual meeting, webinar), if necessary, at a date and time specified by the OHA with at least two-weeks' notice to CLHO members.

Other Collaborative Work

Funding Opportunity Letters of Support

CLHO review and votes on letters of support for OHA applications for public health-related funding from national organizations (e.g., Centers for Disease Control and Prevention, Environmental Protection Agency). OHA program staff will present the proposed letter of support to the relevant CLHO committee. The CLHO committee will make a recommendation to CLHO for a vote. If the assigned CLHO committee does not meet prior to the application deadline, CLHO will review and vote on the proposed letter of support if time allows. If CLHO does not meet prior to the application deadline, the CLHO Executive Committee will review and vote on the proposed letter of support.

OHA program staff will notify the assigned CLHO committee chair immediately about funding opportunity letter of support requirements to support a timely, transparent process.

Other Areas

OHA will provide updates and solicit feedback, as appropriate for the topic and the timeline, on issues relevant to the work of LPHA partners to assure

coordination and collaboration within the public health system. These issues include but are not limited to:

- Major OHA organizational changes;
- Changes in OHA programmatic activities and funding;
- Legislation and rulemaking that may have significant impact on LPHA work; and
- Changes to OHA's scopes of work with non-LPHA public health system partners (e.g., Tribes, community-based organizations, coordinated care organizations, schools).

CONFERENCE COMMITTEES

Per the Conference By-Laws, Conference Committees are established and appointed to assist the Conference in carrying out its purpose as outlined in the By-Laws and the work outlined in this MOU. The LPHA Administrator is responsible for appointing LPHA representatives to the Conference committees and ensuring the representatives' participation in the Conference committees activities.

Conference Committees will:

- In partnership with OHA program staff, and unless otherwise directed by the Conference Executive Committee, develop recommendations within their content areas to present to CLHO for consideration and decision, including but not limited to program element funding and language changes.
- Upon request by OHA, make recommendations to CLHO on letters of support for OHA-submitted funding opportunity applications.
- Upon request by OHA, provide consultation on significant OHA program changes, federal funding opportunities, policies and procedures.
- Upon request by OHA, provide informal feedback on significant changes to triennial review tools.
- Elect committee co-chairs; it is preferred at least one co-chair is a LPHA Administrator.
- Develop a written committee charter that addresses the following:
 - Timeline and process for appointing/reappointing new co-chairs. If a co-chair is not the LPHA Administrator, the appointed co-chair(s) must have written approval from the Local Public Health Administrator or their CLHO designee to serve in the co-chair role.

- Committee member responsibilities, including but not limited to:
 - Attending or viewing an orientation to the Conference of Local Health Officials within the first three months of committee appointment. The committee co-chairs may offer a committee-specific orientation as an additional orientation.
 - Reviewing the committee charter and fulfilling the roles and responsibilities outlined the charter.
 - Reviewing committee meeting materials in advance of the committee meeting and, when necessary, seeking input from appropriate subject matter experts within their LPHA.
 - Meaningfully participating in committee discussions during committee meetings, through written feedback, and/or through other appropriate methods
 - Communicating committee discussions and decisions to the LPHA administrator and other LPHA leaders in a timely manner prior to upcoming committee or CLHO meetings.
 - Regularly attending committee meetings.
 - Committee members must communicate with the committee co-chairs in advance if they are unable to attend committee meetings. In the case of federal or state protected leave, the LPHA administrators or designee may communicate with the committee co-chairs.
 - If the LPHA will not be represented at the committee meeting due to the LPHA representatives' absence, the regular LPHA representative(s) and/or LPHA administrator may send an alternative LPHA representative. The regular LPHA representative(s) and/or the LPHA administrator must communicate this to the committee co-chairs in advance of the meeting.
 - If a committee member does not attend three consecutive meetings and does not communicate

with the committee co-chairs, that member may be removed from the committee.

- Timeline for submitting committee agenda requests (and accompanying materials) more than 14 calendar days prior to the next scheduled meeting.
- Timeline for committee agenda requests and accompanying materials to be made available to committee members more than seven calendar days prior to the next scheduled meeting.
- Timeline for posting committee agenda, materials, and notes on the CLHO sub-committee webpage.
- Voting processes such as using an in-meeting poll or voting form.

Conference Committee co-chairs will:

- In collaboration with the OHA Committee Lead(s), plan meeting agendas and guide process for bringing agenda items to the committee. Co-chairs and OHA Committee Lead(s) are strongly encouraged to meet regularly for the purpose of setting the agenda and discussing any issues that may affect or need to come before the committee.
- Determine if a late agenda request will be accepted or postponed until a future meeting. Co-chairs are not obligated to accept late agenda requests. If the item is time-sensitive, it may need to be referred to the Conference Executive Committee, or directly to CLHO to be addressed in a timely manner.
- In collaboration with Coalition staff, maintain an accurate list of committee members and share this list with OHA Committee Lead(s) and OHA administrative support for the committee. Include current committee membership in annual committee report to CLHO.
- Track committee member attendance.
- Ensure committee meeting materials are posted on the CLHO website.
- In collaboration with OHA staff, determine when a workgroup of a sub-set of committee members is needed to work with OHA staff on a topic that requires more time than available in committee meetings. The workgroup will bring recommendations to the committee for consideration by the entire committee.
- Coordinate with OHA staff to electronically submit committee agenda requests for CLHO meetings to CLHO staff at least 14 days prior to

the next scheduled meeting. Late submissions may not be considered.

- Coordinate with OHA program staff to determine who will submit CLHO agenda item materials by close of business at least seven days prior to the next scheduled CLHO meeting to ensure CLHO members have time to review materials prior to the meeting. Late submissions may result in postponement of agenda item to future CLHO meeting.
 - The co-chairs and OHA staff should coordinate to complete a written, standardized summary of the agenda item (including at least the name of the committee, the recommendation from the committee, the vote tally from the committee, and the requested action from CLHO) to include in the meeting materials.
- Attend CLHO meetings to present the committee recommendations or topic at the CLHO meeting. At a minimum, the co-chair(s) are expected to present the topic, summarize committee discussion, and share any vote results.
 - When needed, request support from OHA program staff in presenting the topic or providing subject matter expertise (SME) to support for the agenda item.
 - If neither committee co-chair can attend the CLHO meetings, the co-chairs may request an alternative committee member attend the CLHO meeting and present the topic.

OHA will:

- Provide a virtual meeting platform (if needed), virtual platform technical assistance support during the meetings, and trained staff to support the committee meetings (limited to hosting the virtual meeting platform, noticing the meeting to the public, taking minutes, recording the meeting (if applicable), and distributing information to committee members before and after meetings).
 - OHA staff will share the meeting minutes with Coalition staff within seven days after the meeting. Coalition staff will upload the meeting minutes to a webpage accessible to all LPHA and OHA staff within seven days after receipt.
 - Meeting minutes will be made available to committee members at the same time the meeting materials are distributed for the next meeting.

- Identify an OHA Committee Lead(s) for the committee to partner with the committee co-chairs to plan, set agendas, and discuss any issues that may affect or need to come before the committee. If there are multiple OHA Committee Lead(s), one must be identified as the main point of contact for the committee co-chairs.
- Bring items to the committee in a timely manner so the committee is apprised early and often of program changes or funding opportunities that may affect the committee and/or LPHAs.
- Submit agenda requests to the co-chairs more than 14 calendar days prior to the next scheduled committee meeting.
- Submit agenda item materials to the co-chairs and the OHA staff responsible for sending the committee agenda and materials more than seven days prior to the next scheduled committee meeting.
- In collaboration with co-chair(s), determine when a workgroup of a sub-set of committee members is needed to work with OHA staff on a topic that requires more time than available in committee meetings. Workgroup will bring recommendations to the committee for consideration by the entire committee.
- Coordinate with co-chairs to electronically submit committee agenda requests for CLHO meetings to Coalition staff more than 14 days prior to the next scheduled meeting. Late submissions may not be considered.
- Coordinate with co-chairs to determine who will submit CLHO agenda item materials by close of business at least seven calendar days prior to the next scheduled CLHO meeting to ensure CLHO members have time to review materials prior to the meeting. Late submissions may result in postponement of agenda item to future CLHO meeting.
 - The co-chairs and OHA staff should coordinate to complete a written, standardized summary of the agenda item (including at least the name of the committee, the recommendation from the committee, the vote tally from the committee, and the requested action from the CLHO) to include in the meeting materials.
- Coordinate so relevant OHA program staff attend the CLHO meeting when a committee makes a recommendation to CLHO.
 - If requested, OHA program staff will support committee co-chair(s) in presenting the topic at the CLHO meeting. At a minimum, committee co-chair(s) are expected to present the topic, summarize committee discussion, and share any vote results. If needed and requested by the co-chairs, OHA staff

will provide a presentation or other SME support for the agenda item.

Conference Executive Committee meetings with OHA Leadership

The Conference Executive Committee was created by ORS 431.330 with the purpose of advising OHA on the administration of CLHO. Regular meetings between OHA and the Conference Executive Committee are fundamental to effective, aligned working relationships between Oregon's state and local governmental public health leaders in service to improving the health of Oregonians.

Conference Executive Committee members and members of the OHA Public Health Division (PHD) Executive Leadership Team are expected to work collaboratively to consider the best interests of the overall public health system and the state and local components of the governmental public health system.

The work of the Conference Executive Committee is identifying and addressing concerns about how state and local governmental partners are working together.

When the Conference Executive Committee is convening with OHA PHD Executive Leadership members, the following individuals will also be invited to attend:

- CLHO representative to the Public Health Advisory Board
- Coalition of Local Health Officials Executive Director
- OHA Local and Tribal Public Health Manager Other Conference of Local Health Official members, Coalition of Local Health Official members staff, or OHA staff as needed to support specific agenda items.

The CLHO Chair and the OHA Public Health Director (or designee) will be responsible for co-leading meetings of the Conference Executive Committee with OHA PHD Executive Leadership and other work of the group. The agenda will be jointly developed by the CLHO Chair, OHA Public Health Director (or designee), Coalition of Local Health Officials Executive Director, and the OHA Local and Tribal Public Health Manager.

Convenings between the Conference Executive Committee with OHA PHD Executive Leadership will be held, at a minimum, at least six times a year to support open and effective communication. OHA is responsible for sharing the agenda with attendees prior to the meetings and providing the virtual meeting space and notetaker for the meetings.

To support transparency, the CLHO Chair will provide a summary of topics covered during these convenings, at CLHO meetings. In addition, CLHO members are encouraged to talk with a Conference Executive Committee member if they have questions or concerns.

OUT OF SCOPE ITEMS

The following items are out of scope for the Conference of Local Health Officials:

1. Approval of triennial review tools
2. OHA and Public Health Division organizational strategic plans, or other agency specific plans with a solely internal focus
3. Review and approval of reportable disease investigative guidelines
4. Internal agency policies
5. Limited funding to individual LPHAs for specific, time-limited projects as required by federal grant funders or as an LPHA has specific, unique expertise to complete OHA deliverables (e.g., Multnomah County Program Design and Evaluation Services). Examples include, but are not limited to:
 - Local vector control projects
 - Healthcare acquired infection projects
 - Research or evaluation projects for which OHA may not have the capacity

In these situations, OHA will work directly with the LPHA on the funding and scope of work.

6. Best practices for local public health programs

REVIEW OF MOU

This MOU will be reviewed at least every two years in November of odd years after CLHO officer elections. Changes to the MOU must be reviewed by Oregon Department of Justice and OHA leadership as necessary or required prior to adoption by the Conference of Local Health Officials.

Appendix A

CLHO and OHA Values and Agreements (Developed September 17, 2024)

