



ONA 2020 Legislative Report

Oregon's 35-day-long session short legislative session came to an abrupt end last week when legislative leadership adjourned early on Thursday March 5, three days before the constitutionally required end of session. This came after several weeks where legislative quorum was unable to be reached since the majority of Senate and House Republicans were not present to take votes.

Consequently, only three of the 283 proposed bills from the session were able to be considered by both chambers and signed into law, including all of ONA's priority bills below.

Nurse Staffing Enforcement

House Bill 4032 ([HB 4032](#)) appropriates additional finances to the Oregon Health Authority (OHA) to enforce Oregon's Hospital Nurse Staffing Law. The bill would have added additional staff to OHA to help more quickly and thoroughly investigate staffing plan violations in hospitals.

The bill received unanimous support in the House Health Care Committee and was referred to the Ways and Means Committee for consideration of the fiscal impact to the state. The bill was still in this committee when the session ended.

Nurse Practitioner Scope of Practice

Senate Bill 1561 ([SB 1561](#)) would have allowed nurse practitioners (NPs) to write prescriptions for medical marijuana for patients. Currently, while NPs can prescribe medications such as fentanyl and opioids, only physicians can write orders for medical marijuana.

Establishing more provider neutral language in Oregon's medical marijuana statutes to allow NPs to discuss the potential health impacts of cannabis will help facilitate patient-centered care and improve patient outcomes.

The bill passed with unanimous support in the Senate Judiciary Committee and was in the Ways and Means Committee upon adjournment.

Access to Care

Too many patients are not able to access providers or put off getting the health care they need because they are home-bound, have barriers to transportation, are struggling to manage behavioral health issues, or live in rural Oregon. House Bill 4101 ([HB 4101](#)) would have helped fill this gap by requiring the Oregon Health Plan cover a telehealth appointment for the same service that a patient could receive in-person by an Oregon-licensed provider.

The bill received unanimous support in the House Health Care Committee, and was awaiting a vote in the House to move forward.

House Joint Resolution 202 ([HJR 202](#)) proposed an amendment to Oregon Constitution establishing an obligation on the state to ensure residents have access to cost-effective, clinically appropriate and affordable health care, requiring that the state balance the obligation to ensure health care with funding of public schools and other public services.

The bill passed the House floor and was waiting for a vote in the Senate to move forward.

House Bill 4102 ([HB 4102](#)) would have helped reduce prior authorization burden on patients and health care providers and allow exceptions to prescription drug step therapy protocols. This allows patients to more readily access proven effective drugs and remedies more immediately.

The bill also passed through the House with bipartisan support and was waiting for a vote in the Senate.

Tobacco and Nicotine Prevention

House Bill 4078 ([HB 4078](#)) would have aligned e-cigarette sale regulations with how we currently regulate alcohol and tobacco sales: by requiring a face-to-face interaction to purchase. HB 4078 bans the sale of e-cigarettes in person or over the phone, helping reduce the number of underage users from being able to purchase e-cigarettes.

The bill passed with bipartisan support on the House floor and was waiting for a quorum in the Senate to move forward.

Although retailers who sell marijuana and alcohol have to obtain a license to sell in Oregon, there is no such program for selling tobacco and nicotine. Senate Bill 1577A ([SB 1577A](#)) addresses this by creating a State Tobacco Retail License program in Oregon to make sure that tobacco and nicotine sellers are complying with the law and held accountable when and if they sell to minors.

After receiving support in the Senate Health Care Committee, the bill also moved through the full Ways and Means Committee with a do-pass recommendation and was waiting for a vote on the Senate floor.

Worker Protections

It is critical that nurses can practice in various health care systems and with many different employers over the course of our careers to make sure patients have the access to care that they need. However, when nurses are subject to non-compete clauses in an entire specialized or generalized practice, this inhibits our upward and lateral mobility and has impacts on us, our families, and our patients' access to care. Senate Bill 1527 ([SB 1527](#)) have helped protect workers from costly legal fees and potential retaliation from their employer, clarifies the income threshold that could qualify for a non-compete agreement, and changes the current 18-month statute of non-competes, helping make sure workers have the job mobility they need to take care of their families.

The bill received bipartisan support in the Senate and was awaiting quorum in the House to be considered.

House Bill 4109 ([HB 4109](#)) proposed a sensible phase-out on the use of a toxic pesticide, chlorpyrifos, to protect Oregon's children, agricultural workers and rural communities. Chlorpyrifos has long been recognized as posing a serious danger to human health, particularly to children's neurological development, even at low levels. HB 4109 would have first prohibited aerial spraying of products that contain only chlorpyrifos, prohibit chlorpyrifos use within 300 feet of schools and add stronger protections for farmworkers.

The bill moved through the House and was awaiting a vote in the Senate.

Preventing Gun Violence

Unsafely stored firearms put our communities at risk and increase the odds of school shootings, unintentional shootings and suicides. Oregon loses one person a day to gun violence, but we have no state requirements for safely storing guns. The Cindy Yuille and Steve Forsyth Act, House Bill 4005 ([HB 4005](#)), would have changed the law by requiring the safe storage of guns and prompt reporting of lost or stolen guns. Similar laws in other states have reduced gun violence and made communities safer.

The bill moved from the House Judiciary Committee to the Rules Committee where it was at the conclusion of the legislative session.

Register and Update Your Voter Information

Unfortunately, the walk-out of the majority of Republican legislators meant that not just one bill died, but the entire legislative majority, including bills that ONA had made a priority to advance nursing practice and patient access to care. To ensure that you are ready for the 2020 primary and general elections approach, make sure [your voter registration is up to date](#) so you can support pro-nursing and pro-worker candidates for state offices this May and November!

Contact ONA Government Relations

If you have questions, comments or concerns about any information in the update or want to get more involved, please contact the ONA Government Relations staff.

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