

## Racial Equity Impact Statement for OAR 409-070-xxxx changes

### Health Care Market Oversight Program

RAC July 25, 2022

This document includes the equity impact statement regarding how the amendments of rules (OAR 409-070-0000 through 0085) will affect racial equity in Oregon. This document also describes the outreach and engagement to invite those community members affected by the rule to participate in the Rules Advisory Committee (RAC).

#### I. Equity Impact Statement

The proposed rule changes for the program (OAR 409-070-0000 through 0085) may affect all communities in the state who access health care services. The Health Care Market Oversight program is designed to improve health equity in Oregon. One of the central functions of the program is to assess the impacts of a proposed transaction on health equity. The draft rule changes include specifying the types of health care services that are essential to achieving health equity. By including this language in rule, as opposed to program guidance documents, the program is even more focused on health equity. If negative impacts to racial equity are identified by program staff or community members, we will document those issues and draft future rule changes that aim to mitigate negative impacts.

#### II. Background - Process and Planning

##### Identifying Affected Communities, including Tribal Governments to form the RAC:

The Health Care Market Oversight program reviews proposed health care business deals to determine the impacts on equity, cost, quality, and access. The proposed rule changes for the program (OAR 409-070-0000 through 0085) may affect all communities in the state and are intended to improve health equity. The program was designed with equity at its core and analyzing the equity impacts of proposed health care business deals is a central function of the program.

These individuals and communities are affected by this rule change:

- People who face barriers to getting the health care they need
- People who experience worse health outcomes and/or quality of health care compared to the population overall
- People who experience high health care costs, including those with high co-pays, deductibles, premiums, and other out-of-pocket payments
- People who receive lower wages from their employer because of their employer paying high health care costs for employees.

Program staff created a list of contacts from 132 community-based organizations serving a broad variety of cultural and community groups. We particularly focused on populations that have been under-represented in past RAC meetings.

### Identifying how program staff will engage community members:

Program staff conducted outreach to the 132 community-based organizations to inform them of rules changes and ask them to invite their communities and networks to be RAC members. We also sent a RAC invitation to the 161 GovDelivery subscribers, many of whom represent health care entities, community-based organizations, and consumer advocacy organizations.

Program staff created community-facing materials, including a RAC invitation flier, in plain language. The invitation flier was translated into 14 languages and posted to the program website. The invitation flier focused on a specific question: What health care services are essential to achieve health equity?

We also created a cover page summarizing the rule changes in plain language. The cover page highlights the question about health services that are essential to achieve health equity. We posted this cover page to the website in both English and Spanish before the meeting.

Program staff created a form to collect race, ethnicity, age, and other demographic information from RAC members. We will use this information to assess how RAC members represent affected communities and priority populations.

The RAC meeting is scheduled from 4:00pm to 7:00pm, to accommodate people who may need to join after daytime work hours. We will post the agenda beforehand so attendees can join and provide input for part or all of the meeting. During the meeting, program staff will provide multiple opportunities for RAC member and public input.

### Communication plan and addressing feedback:

We published the RAC invitation flier in fourteen languages. We've also included a notice that people may request translation of materials, interpretation during the RAC meeting, and other accommodations.

Program staff will compile feedback from the RAC meeting and include feedback, as appropriate, in future edits to the rules. We will also notify individuals when the rules hearing will occur and when the final rules are posted on the Secretary of State's website.

### Remediation plan:

If negative impacts to racial equity are identified by program staff or community members, we will document those issues and draft future rule changes that aim to mitigate negative impacts.