

Health Care Market Oversight (HCMO) Program Community Review Board Application Instructions

You can get this document in other languages, large print, braille, or a format you prefer free of charge. Contact us by email at hcmo.info@oha.oregon.gov or by phone at 503-385-5948. We accept all relay calls.

General Information

The Oregon Health Authority (OHA) reviews health care business deals, such as mergers and acquisitions, to make sure they don't harm people or communities in Oregon. For some reviews, OHA may convene a community review board. The community review board has two key roles:

1. Help OHA understand how a deal could affect people and communities in Oregon.
2. Make a recommendation about whether OHA should approve a deal to proceed as planned, apply conditions to the deal, or disapprove the deal.

Community review boards are temporary groups and exist solely to provide input to OHA about a particular health care business deal. Community review board requirements are defined in [ORS 415.501](#) and [OAR 409-070-0062](#).

Member Qualifications

In order to be appointed as a member of a community review board, you must meet the following qualifications:

1. **Live or work in an impacted area.** For example, if you live in a city or county served by a hospital, you would qualify to participate in a community review board related to that hospital. Each community review board application notice will include information about any geographic requirements for membership.
2. **Have the ability to actively participate.** This includes completing orientation, attending up to five virtual meetings and up to two public hearings, reviewing materials, participating in discussions, and making recommendations.
3. **Have relevant knowledge, experience, or background to contribute.** You do not have to be a health care worker to participate in a community review board. In fact, no more than one third of community review board members may be people who represent institutional health care providers such as hospitals or health systems. Members could be a patient or consumer, live near a facility, or have specific health care needs. (If you are primarily concerned with sharing input for another issue entirely – such as school lunches or traffic policy – this may not be the best group for you.)

Employees or contractors of companies involved in the transaction may not be members of a community review board. Employees of similar sized competitors are also excluded from membership. No more than one third of members can work for an institutional health care provider.

Member Expectations

Community review board members are expected to:

- Attend and participate in up to five (5) virtual meetings.
- Attend and participate in up to two (2) public hearings.
- Review materials related to the transaction.
- Make recommendations in the best interests of their community.
- Participate to the best of their abilities.

How to become a member

To apply to join a community review board, you must submit the following materials:

- Application form
- Demographic form
- Conflict of interest form

Submit all materials to hcmo.info@oha.oregon.gov. OHA staff will notify you when we receive your application and provide a timeline for next steps. Staff will review your application and determine if you selected to become a member.

Application periods are generally open for 4-8 weeks. OHA may extend an application period, as needed, to ensure that the community review board members represent communities affected by the transaction. OHA will not make decisions about community review board membership until the application period has closed.

Conflict of Interest

State law considers members of a community review board to be public officials. Public officials are required to disclose conflicts of interest before participating in actions as a public official. We are asking you to share information about whether you have any conflicts of interest prior to participating in the community review board. We may use this information to determine whether you are eligible to be a Community Review Board member. If you are selected as a member of the community review board, you will be subject to the conflict-of-interest disclosure requirements in [ORS Chapter 244](#) as a public official (see [A Guide for Public Officials](#) for more information).

A conflict of interest occurs if participating in the community review board could result in financial benefit or detriment to you, a member of your household, or a business associated with you or a member of your household. Examples of conflicts of interest may include:

- Receiving income or payments from one of the companies involved in the transaction.
- Doing business with one of the companies involved in the transaction (for example, as a contractor).

Being a customer or patient of one of the companies involved in a transaction does not count as a conflict of interest.

Conflicts of interest don't just apply to you. They may also apply to your family members, including children, spouses and partners, siblings, in-laws, step-children, and others for whom you provide financial support.

If you have questions or concerns about any of the information we are requesting, please email hcmo.info@oha.oregon.gov.

Compensation

If you are selected to join a community review board, you may request to receive compensation for time spent on community review board work. According to ORS 292.495, qualified members of state committees can receive payments for committee work. If you indicated that you would like to receive compensation on your application and you are selected to join the community review board, OHA staff will provide the appropriate forms and guide you through the process. You can direct any questions about compensation to hcmo.info@oha.oregon.gov.

Qualified individuals include people who:

- Are not full-time public service employees (federal, state, county, city or other publicly funded entity), *and*
- Reported an adjusted gross income in the previous tax year:
 - a. Of less than \$50,000 on an income tax return other than a joint return.
 - b. Of less than \$100,000 on a joint return

“Full time public service” is a person employed full time by a public university or by a local, regional, state or federal government. **“Adjusted gross income (AGI)”** is defined by the Internal Revenue Service (IRS) and is “gross income minus adjustments to income”.¹ AGIs are only available after you have filed taxes for the year.

Compensation is taxable, and qualified members are paid \$166 for each day a member spends on community review board work. Activities that count as community review board work include, but are not limited to:

- Participating in meetings and public hearings.
- Attending trainings and educational webinars.
- Reviewing materials.
- Reading and responding to emails and other communication from OHA staff.

Compensation is taxable income. Compensation will be reported to qualified members annually on a W-2 or 1099 statement. Qualified members are responsible for paying any taxes owed when they file their tax returns. Taking compensation can also affect whether a qualified member qualifies for benefits such as Oregon Health Plan and Social Security or qualifies to receive compensation the next year. A qualified member may decide not to request compensation for the entire year or certain days to avoid impacts to benefits or qualified member status.

¹ <https://www.irs.gov/e-file-providers/definition-of-adjusted-gross-income>.