

ODHA GOVERNMENT RELATIONS UPDATE

BY

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Lobbying and Government Relations does not begin and end with the Legislative Session. It is a year-round effort that requires on-going communications with public officials and the media along with grassroots mobilization.

Engaging in interim study activity is a crucial part of this process. Legislators often request interim studies, whether to review an issue of interest in more depth, to appease a constituent group in place of actually hearing a bill, or to draw press and legislative attention to an issue prior to drafting a bill for the upcoming legislative session. You may learn more about some of these interim studies in Part II of this Update. As your lobbyist, I am actively involved in interim studies that may impact ODHA members and their interests.

This year, COVID-19 has dramatically altered the political landscape, requiring ODHA to interact with a much broader array of elected officials and governmental entities including municipalities and city-county health departments. ODHA now participates in the Healthier Oklahoma Coalition along with Dentists, M.D.s, Osteopaths, Nurses, and Hospitals, and the ODHA Executive Board has adopted a position on Mask Ordinances. We are participating in ongoing- efforts with City – County Health Departments and City Councils to contain the burgeoning spread of COVID-19 statewide, requiring multiple interactions weekly with Mayors and City Council members from communities across our state.

INTERIM STUDIES

The list of approved 2020 Interim Studies below may give some insight into areas the 2020 Legislature is interested in discussing. One must remember, however, even an “approved” interim study is not guaranteed a hearing by the committee to which it is assigned, particularly when COVID-19 continues to limit gatherings. We often see a reduction in the number and length of actual hearings in an election year, as well. It is also important to note, that an interim study is not necessarily an indication that a related bill will (or won't) be filed or actually heard once session begins. It does, however, help us to prepare for the possibility that certain subjects will be addressed in legislation in the coming session. Below is a list of the interim studies assigned to House and Senate Committees that are most likely to be of interest or consequence to ODHA members' and their interests.

Senate Approved Interim Studies of Interest to ODHA

Senator Hicks – A Study of the Standards of Care and Coverage for Persons with Diabetes

Senator Howard – Medicaid Expansion and Prison / County Jail Housing and Health Care

Senator Jech – Department of Corrections Procedures During a Health Crisis

House Approved Interim Studies of Interest to ODHA

Representative Frix - A study of insurers that may terminate a preferred healthcare providers' in-network contract solely for making out-of-network referrals for their patients.

Representative Tammy West - A study to examine the lessons and best practices moving forward to protect vulnerable adults in long-term care facilities from COVID-19.

Representative Bush - A study on medical-legal partnerships, formally pairing lawyers with health professionals to address potential legal issues which complicate health outcomes.

Representative Munson - A study on how the accessibility of Loperamide has contributed to the opioid epidemic.

Representative Josh West - A study to examine the regulations concerning data privacy in Oklahoma.

Representative Kevin West - A study on the Catastrophic Health Emergency Powers Act.

Representative Roe - A study on rural emergency medical services (EMS) districts to explore options to reduce distance from ambulance services to rural areas.

Representative Moore - A study examining possible ways to address high health insurance costs, examining guaranteed cost, group, individual, self-funded and buying groups.

Representative Caldwell - A study on the authority granted to municipalities during declared emergencies.

Representative Roberts - A study on Oklahoma's pandemic preparedness.

Representative Pittman - A study to identify best practices and tools to deal with various mental health issues in communities of color.

Representative Echols - A study on the Oklahoma Medical Marijuana Program.

MUNICIPAL EFFORTS TO SLOW THE SPREAD OF COVID-19

ODHA'S EXECUTIVE BOARD STATEMENT:

ODHA's Executive Board issued a statement supporting efforts by local governments to reduce the dramatic increase in COVID-19 cases that continue to impact our hygienists, patients, dental offices and staff. It reads: **The ODHA (Oklahoma Dental Hygienists Association) Executive Board supports local government efforts to address the wearing of masks to reduce the spread of COVID-19.**

Evidence-based research supporting this statement:

A study published in *Physics of Fluids* shows "...that the use of face masks will reduce the airborne droplet transmission and will also protect the wearer from the droplets expelled from other subjects." This study also showed that for people wearing a mask the majority of droplets will travel about half the distance compared to those not wearing a mask.

Dbouk, Talib and Dimitiris Drikakis. May 2020. On Respiratory Droplets and Face Masks. *Physics of Fluids* (32). Published online 16 June 2020. Accessed online July 11, 2020. <https://aip.scitation.org/doi/10.1063/5.0015044>

"Our results suggest use of face masks by the general public is potentially of high value in curtaining community transmission and the burden of the pandemic. The community wide benefits are likely to be greatest when face masks are used in conjunction with other non-pharmaceutical practices (such as social-distancing), and when adoption is nearly universal (nation-wide) and compliance is high." This study also found that masks help prevent healthy people from getting sick and prevent asymptomatic carriers from transmitting COVID-19.

Eikenberry, Steffen E., Marina Mancuso, Enahoro Iboi, Tin Phan, Kennan Eikenberry, Yang Kuang, Eric Kostelich, Abba B. Gumel. 2020. To mask or not to mask: modeling the potential for face mask use by the general public to curtail the COVID-19 pandemic. *Infectious Disease Modeling* (5). Published online 21 April 2020. Accessed online July 12, 2020.

<https://www.sciencedirect.com/science/article/pii/S2468042720300117?via%3Dihub>

SAMPLING OF MUNICIPALITIES THAT HAVE PASSED MASK ORDINANCES (NOTE: Municipalities continue to discuss ordinances daily, and this list is by no means comprehensive):

For additional detail for each ordinance, please check the city's website. Each ordinance varies, and there are often exceptions based upon age, disability, illness, etc. Effective dates vary, and may be amended by a vote of each city council.

ADA – Passed a mandate on July 21- in effect through August 3. With a list of many exceptions, provides that when in public and unable to socially distance, a mask must be worn.

CHOCTAW – Requires businesses within its corporate limits that are not otherwise mandating masks to follow all CDC requirements including masks, social distancing and hand sanitizing.

EDMOND – As of this writing, Edmond has the latest effective date for any city mask requirement in Oklahoma. The Edmond City Council, in a vote of 3-2 originally passed a mask requirement for people to wear face coverings while in any indoor place open to the public through September 8. However, the Mayor and one other Council member opposed passage of the required emergency, delaying the implementation date until August 26, leaving a mask requirement in effect for a mere 2 weeks. On the night of August 3, the Council returned and by a vote of 3-2 amended their existing ordinance to remain in effect until at least October 12, so that they can have a minimum of 6 weeks to determine if there are measurable results. As it was pointed out in tis council meeting, failure of Edmond to pass a mandate consistent in time with Oklahoma City weakens the effectiveness of Oklahoma City's mask requirement since the boundary between the two communities is virtually non-existent, much like the situation Norman is facing with Moore's failure to pass a mask mandate.

LAWTON - Face masks/coverings/shields are required in the City of Lawton when inside a commercial entity or other building, structure or space open to the public, public transit.

McAlester- Like Edmond, McAlester passed an ordinance requiring masks for places where people gather publicly indoors, but the Council failed to pass the Emergency, so this will not go into effect until August 20.

MIDWEST CITY - Requires people in MWC to wear face coverings while in any indoor place open to the public through at least September 22.

NORMAN – Requires people in Norman to wear masks when outside their homes, consistent with requirements for OU students, with some exceptions for certain activities and certain medical conditions. In effect through November.

OKLAHOMA CITY – Requires people in OKC to wear face coverings that include masks and / or face shields when in any indoor place open to the public. Provides a list of exceptions. In effect until Sept. 8.

STILLWATER - Requires people in Stillwater to wear masks when outside their homes, consistent with requirements for OSU students, with some exceptions for certain activities and certain medical conditions. In effect through November.

SHAWNEE – Requires people in Shawnee to wear face coverings while in any indoor place open to the public through September 30. Provides a list of exceptions.

TULSA - Requires people in Tulsa to wear face coverings while in any indoor place open to the public, providing some exceptions based upon age and certain medical conditions.

ALSO PASSING SIMILAR ORDINANCES: ALTUS, CHICKASHA, EL RENO, KREBS, SAND SPRINGS, The VILLAGE, WARR ACRES, and YUKON.

NOTE: Guthrie was the first Oklahoma City to put a mask order in place. Following the passage of a mask requirement as part of the shelter-in-place order in April 2020, a Guthrie citizen filed a federal lawsuit asking a judge to strike down the mandate as an infringement on individual constitutional rights. The Guthrie mandate was simply allowed to expire in May. Some other municipalities have faced pushback and we could see other council votes overturned.

SAMPLING OF MUNICIPALITIES THAT HAVE ANNOUNCED THAT THEY WILL NOT CONSIDER OR HAVE HERETOFOR VOTED AND REJECTED MASK ORDINANCES AS OF AUG 1:

BROKEN ARROW, ENID, JENKS, and MOORE

Note: These lists change constantly as City Councils are influenced by local and national politics, as well as fluctuating numbers of COVID positive cases and hospitalizations.