

# House Bill 2035

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Health Authority)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Reestablishes Mental Health Clinical Advisory Group in Oregon Health Authority to continue development of evidence-based algorithms for prescription drug treatment of mental health disorders. Specifies membership.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to prescription drug coverage in publicly financed programs; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 414.**

**SECTION 2. (1) The Mental Health Clinical Advisory Group is established in the Oregon Health Authority. The Mental Health Clinical Advisory Group shall develop evidence-based algorithms for mental health treatments with mental health drugs based on:**

**(a) The efficacy of the drug;**

**(b) The cost of the drug;**

**(c) Potential side effects of the drug;**

**(d) A patient's profile; and**

**(e) A patient's history with the drug.**

**(2) The Mental Health Clinical Advisory Group consists of eleven members appointed by the authority as follows:**

**(a) One psychiatrist with an active community practice;**

**(b) One child and adolescent psychiatrist;**

**(c) One licensed clinical psychologist;**

**(d) One psychiatric nurse practitioner with prescribing privileges;**

**(e) One primary care provider;**

**(f) One pharmacist who has experience dispensing to long term care facilities and patients with special needs;**

**(g) One individual who represents a statewide mental health advocacy organization for children and adults with mental illness and has experience as a consumer of mental health services or as a family member of a consumer of mental health services;**

**(h) One individual who represents a coordinated care organization;**

**(i) One consumer of mental health services or one family member of a consumer of mental health services**

**(j) One member appointed from individuals nominated by the Indian tribes in Oregon; and**

**(k) One individual representing an entity that offers a psychiatric advice hotline.**

**(3) To the greatest extent practicable, at least two of the members appointed by the au-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **thority under subsection (2) of this section must identify as persons of color.**

2 **(4) The Mental Health Clinical Advisory Group shall, in developing treatment algorithms,**  
 3 **consider all of the following:**

- 4 **(a) Peer-reviewed medical literature;**
- 5 **(b) Observational studies;**
- 6 **(c) Studies of health economics;**
- 7 **(d) Input from patients and physicians; and**
- 8 **(e) Any other information that the group deems appropriate.**

9 **(5) The Mental Health Clinical Advisory Group shall make recommendations to the au-**  
 10 **thority and the Pharmacy and Therapeutics Committee including, but not limited to, rec-**  
 11 **ommendations concerning:**

- 12 **(a) Implementation of evidence-based algorithms.**
- 13 **(b) Any changes needed to any preferred drug list used by the authority.**
- 14 **(c) Practice guidelines for the treatment of mental health disorders with mental health**  
 15 **drugs.**
- 16 **(d) Coordinating the work of the Mental Health Clinical Advisory Group with an entity**  
 17 **that offers a psychiatric advice hotline.**

18 **(6) Recommendations of the Mental Health Clinical Advisory Group shall be posted to the**  
 19 **website of the authority no later than 30 days after the group approves the recommen-**  
 20 **dations.**

21 **(7) No later than December 31 of each year, the Mental Health Clinical Advisory Group**  
 22 **shall report to the interim committees of the Legislative Assembly related to health on its**  
 23 **progress in developing evidence-based algorithms for mental health drugs.**

24 **(8) A member of the Mental Health Clinical Advisory Group is not entitled to compen-**  
 25 **sation but may be reimbursed for necessary travel expenses incurred in the performance of**  
 26 **the member's official duties.**

27 **(9) The Mental Health Clinical Advisory Group shall select one of its members as chair-**  
 28 **person and another as vice chairperson, for terms and with duties and powers necessary for**  
 29 **the performance of the functions of the group.**

30 **(10) A majority of the members of the Mental Health Clinical Advisory Group constitutes**  
 31 **a quorum for the transaction of business.**

32 **(11) The Mental Health Clinical Advisory Group shall meet at least once every two**  
 33 **months at a time and place determined by the chairperson. The group also may meet at**  
 34 **other times and places specified by the call of the chairperson or of a majority of the mem-**  
 35 **bers of the group. The group may meet in executive session when discussing factors listed**  
 36 **in subsection (1) of this section.**

37 **(12) The Director of the Oregon Health Authority shall appoint a full-time coordinator**  
 38 **for the group, designated as an Operations and Policy Analyst 3, who:**

- 39 **(a) Has demonstrated experience in the field of mental health;**
- 40 **(b) Has a relevant educational background; and**
- 41 **(c) Maintains a professional license in the field of health or behavioral science.**

42 **(13) The authority may appoint one or more subcommittees of the Mental Health Clinical**  
 43 **Advisory Group as the authority deems necessary to assist the group in carrying out the**  
 44 **group's duties.**

45 **(14) In accordance with applicable provisions of ORS chapter 183, the Mental Health**

1 **Clinical Advisory Group may adopt rules necessary for the administration of this section.**

2 **(15) All agencies of state government, as defined in ORS 174.111, are directed to assist**  
3 **the Mental Health Clinical Advisory Group in the performance of duties of the group and, to**  
4 **the extent permitted by laws relating to confidentiality, to furnish information and advice**  
5 **the members of the group consider necessary to perform their duties.**

6 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**  
7 **ated to the Oregon Health Authority, for the biennium beginning July 1, 2019, out of the**  
8 **General Fund, the amount of \$500,000, which may be expended for carrying out section 2 of**  
9 **this 2019 Act.**

10 **SECTION 4. This 2019 Act being necessary for the immediate preservation of the public**  
11 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
12 **on its passage.**

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