

A-Engrossed
House Bill 2627

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative SANCHEZ; Representatives ALONSO LEON, KENY-GUYER, MITCHELL, NOBLE, PRUSAK, SOLLMAN, WILLIAMS, Senator MONNES ANDERSON (Presession filed.)

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.

[Requires Oregon Health Authority to operate peer managed recovery centers in cities in this state with populations of 100,000 or more to provide peer mentor support and peer support services to individuals in recovery from addiction.]

Requires Oregon Health Authority to contract with at least four Recovery Community Organizations, in accordance with criteria adopted by Alcohol and Drug Policy Commission, to operate four recovery community centers in four different counties. Defines "Recovery Community Organization" and "recovery community center." Specifies requirements for centers.

Requires authority to appoint Recovery Advocate to be responsible for developing and maintaining network of Recovery Community Organizations.

Specifies portion of moneys set aside from Oregon Marijuana Account for alcohol and drug treatment that must be used for Recovery Community Organizations and recovery community centers.

A BILL FOR AN ACT

1
2 Relating to peer support for individuals in recovery from substance use disorders; creating new
3 provisions; and amending ORS 430.256 and 475B.759.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Peer mentor support" means mentoring provided by a peer support specialist.**

7 (b) **"Peer support services" means supportive services provided by a peer support spe-**
8 **cialist.**

9 (c) **"Peer support specialist" has the meaning given that term in ORS 414.025.**

10 (d) **"Recovery community center" means a physical space where peer support services**
11 **are provided by a Recovery Community Organization.**

12 (e) **"Recovery Community Organization" means a nongovernmental organization that is:**

13 (A) **Recognized as tax exempt under section 501(c)(3) of the Internal Revenue Code;**

14 (B) **Is managed by individuals who are in recovery from substance use disorders; and**

15 (C) **Offers peer support services for individuals who are seeking or in recovery from**
16 **substance use disorders.**

17 (2) **The Oregon Health Authority, in accordance with criteria adopted by the Alcohol and**
18 **Drug Policy Commission under subsection (6) of this section, shall contract with at least four**
19 **Recovery Community Organizations to operate four recovery community centers, each in a**
20 **different county. Each recovery community center must provide, at a minimum:**

21 (a) **Culturally relevant peer mentor support;**

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 (b) A 24-hour telephone support line to provide peer mentor support;
- 2 (c) In-person peer support services for 12 hours each day; and
- 3 (d) Multiple forms of community-based recovery sessions each day using various recovery
- 4 models, including but not limited to:
- 5 (A) Traditional and nontraditional recovery groups offering peer support; and
- 6 (B) Mindfulness and medication-assisted treatment.
- 7 (3) Each Recovery Community Organization contracting with the authority shall:
- 8 (a) Be a stand-alone entity organized and managed for the sole purpose of serving as a
- 9 Recovery Community Organization;
- 10 (b) Have local leadership and community control;
- 11 (c) Enter into a memorandum of understanding with all residential and outpatient sub-
- 12 stance use disorder treatment providers located in the county served by the Recovery Com-
- 13 munity Organization to enable the organization to connect with individuals completing
- 14 treatment and advise the individuals of the services available from the organization; and
- 15 (d) Maintain and enforce patient privacy and confidentiality as required by state and
- 16 federal laws.
- 17 (4) A Recovery Community Organization contracting with the authority may:
- 18 (a) Use an existing nonprofit organization to serve as the organization's fiscal sponsor;
- 19 and
- 20 (b) Solicit and accept funds from public or private sources.
- 21 (5) The authority shall appoint a full-time Recovery Advocate in the division of the au-
- 22 thority that administers addiction treatment, recovery and prevention programs who shall
- 23 be responsible for developing and maintaining the network of Recovery Community Organ-
- 24 izations.
- 25 (6) The Alcohol and Drug Policy Commission shall adopt:
- 26 (a) Criteria for the selection of locations and local partners of Recovery Community Or-
- 27 ganizations; and
- 28 (b) Annual performance goals for the Recovery Community Organizations.
- 29 (7) The authority shall report, at the frequency prescribed by the commission, on each
- 30 Recovery Community Organization's achievement of the organization's annual performance
- 31 goals.
- 32 (8) The authority shall, out of funds transferred to the Oregon Health Authority Fund
- 33 from ORS 475B.759 (3)(c)(D):
- 34 (a) Use \$150,000 for outreach to individuals living in rural areas to connect them with
- 35 peer mentor support and peer support services using telemedicine platforms; and
- 36 (b) Use the remaining funds to carry out the provisions of this section.
- 37 **SECTION 2.** The recovery community centers described in section 1 of this 2019 Act must
- 38 be established and operating no later than January 1, 2021.
- 39 **SECTION 3.** ORS 430.256 is amended to read:
- 40 430.256. (1) The Director of the Oregon Health Authority shall administer alcohol and drug
- 41 abuse programs, including but not limited to programs or components of programs described in ORS
- 42 430.397 to 430.401 and 475.225 and section 1 of this 2019 Act and ORS chapters 430 and [801 to
- 43 822] 813.
- 44 (2) Subject to ORS 417.300 and 417.305, the director shall:
- 45 (a) Report to the Alcohol and Drug Policy Commission on accomplishments and issues occurring

1 during each biennium, and report on a new biennial plan describing resources, needs and priorities
2 for all alcohol and drug abuse programs.

3 (b) Develop within the Oregon Health Authority priorities for alcohol and drug abuse programs
4 and activities.

5 (c) Conduct statewide and special planning processes that provide for participation from state
6 and local agencies, groups and individuals.

7 (d) Identify the needs of special populations including minorities, elderly, youth, women and in-
8 dividuals with disabilities.

9 (e) Subject to ORS chapter 183, adopt such rules as are necessary for the performance of the
10 duties and functions specified by this section.

11 (3) The director may apply for, receive and administer funds, including federal funds and grants,
12 from sources other than the state. Subject to expenditure limitation set by the Legislative Assembly,
13 funds received under this subsection may be expended by the director:

14 (a) For the study, prevention or treatment of alcohol and drug abuse and dependence in this
15 state.

16 (b) To provide training, both within this state and in other states, in the prevention and treat-
17 ment of alcohol and drug abuse and dependence.

18 (4) The director shall, in consultation with state agencies and counties, establish guidelines to
19 coordinate program review and audit activities by state agencies and counties that provide funds to
20 alcohol and drug prevention and treatment programs. The purpose of the guidelines is to minimize
21 duplication of auditing and program review requirements imposed by state agencies and counties on
22 alcohol and drug prevention and treatment programs that receive state funds, including programs
23 that receive beer and wine tax revenues under ORS 430.380 and 471.810.

24 **SECTION 4.** ORS 475B.759, as amended by section 1, chapter 81, Oregon Laws 2018, is amended
25 to read:

26 475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from the
27 General Fund.

28 (2) The account shall consist of moneys transferred to the account under ORS 475B.760.

29 (3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the
30 Oregon Marijuana Account.

31 (b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent
32 of the moneys in the Oregon Marijuana Account as follows:

33 (A) Ten percent of the moneys in the account must be transferred to the cities of this state in
34 the following shares:

35 (i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the popu-
36 lation of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a)
37 of this section compared to the population of all cities of this state that are not exempt from this
38 paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University
39 under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

40 (ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number
41 of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day
42 of the calendar quarter preceding the date of the transfer for premises located in each city compared
43 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the
44 last business day of that calendar quarter for all premises in this state located in cities; and

45 (B) Ten percent of the moneys in the account must be transferred to counties in the following

1 shares:

2 (i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commer-
3 cially available area of all grow canopies associated with marijuana producer licenses held pursuant
4 to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer
5 for all premises located in each county compared to the total commercially available area of all
6 grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the
7 last business day of that calendar quarter for all premises located in this state; and

8 (ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of li-
9 censes held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the cal-
10 endar quarter preceding the date of the transfer for premises located in each county compared to
11 the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business
12 day of that calendar quarter for all premises in this state.

13 (c) Eighty percent of the moneys in the Oregon Marijuana Account must be used as follows:

14 (A) Forty percent of the moneys in the account must be used solely for purposes for which
15 moneys in the State School Fund established under ORS 327.008 may be used;

16 (B) Twenty percent of the moneys in the account must be used solely for mental health treat-
17 ment or for alcohol and drug abuse prevention, early intervention and treatment;

18 (C) Fifteen percent of the moneys in the account must be used solely for purposes for which
19 moneys in the State Police Account established under ORS 181A.020 may be used; and

20 (D) Five percent of the moneys in the account must be used solely for purposes related to al-
21cohol and drug abuse prevention, early intervention and treatment services, **of which the lesser**
22 **of \$5 million or five percent of the moneys in the account must be transferred to the Oregon**
23 **Health Authority Fund established in ORS 413.101 and used for carrying out section 1 of this**
24 **2019 Act.**

25 (4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issu-
26ance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to
27 receive transfers of moneys under subsection (3)(b)(A) of this section.

28 (b) A county that has an ordinance prohibiting the establishment of a premises for which issu-
29ance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under
30 subsection (3)(b)(B)(i) of this section.

31 (c) A county that has an ordinance prohibiting the establishment of a premises for which issu-
32ance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive
33 transfers of moneys under subsection (3)(b)(B)(ii) of this section.

34 (5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and
35 county in this state shall certify with the commission whether the city or county has an ordinance
36 prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070,
37 475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is
38 not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails
39 to comply with this subsection, the county is not eligible to receive transfers of moneys under sub-
40 section (3)(b)(B) of this section.

41 **SECTION 5.** ORS 475B.759, as amended by sections 1 and 2, chapter 81, Oregon Laws 2018, is
42 amended to read:

43 475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from the
44 General Fund.

45 (2) The account shall consist of moneys transferred to the account under ORS 475B.760.

1 (3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the
2 Oregon Marijuana Account.

3 (b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent
4 of the moneys in the Oregon Marijuana Account as follows:

5 (A) Ten percent of the moneys in the account must be transferred to the cities of this state in
6 the following shares:

7 (i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the popu-
8 lation of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a)
9 of this section compared to the population of all cities of this state that are not exempt from this
10 paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University
11 under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

12 (ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number
13 of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day
14 of the calendar quarter preceding the date of the transfer for premises located in each city compared
15 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the
16 last business day of that calendar quarter for all premises in this state located in cities; and

17 (B) Ten percent of the moneys in the account must be transferred to counties in the following
18 shares:

19 (i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commer-
20 cially available area of all grow canopies associated with marijuana producer licenses held pursuant
21 to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer
22 for all premises located in each county compared to the total commercially available area of all
23 grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the
24 last business day of that calendar quarter for all premises located in this state; and

25 (ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of li-
26 censes held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the cal-
27 endar quarter preceding the date of the transfer for premises located in each county compared to
28 the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business
29 day of that calendar quarter for all premises in this state.

30 (c) Eighty percent of the moneys in the Oregon Marijuana Account must be used as follows:

31 (A) Forty percent of the moneys in the account must be used solely for purposes for which
32 moneys in the State School Fund established under ORS 327.008 may be used;

33 (B) Twenty percent of the moneys in the account must be used solely for purposes for which
34 moneys in the Mental Health Alcoholism and Drug Services Account established under ORS 430.380
35 may be used;

36 (C) Fifteen percent of the moneys in the account must be used solely for purposes for which
37 moneys in the State Police Account established under ORS 181A.020 may be used; and

38 (D) Five percent of the moneys in the account must be used solely for purposes related to al-
39 colhol and drug abuse prevention, early intervention and treatment services, **of which the lesser**
40 **of \$5 million or five percent of the moneys in the account must be transferred to the Oregon**
41 **Health Authority Fund established in ORS 413.101 and used for carrying out section 1 of this**
42 **2019 Act.**

43 (4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issu-
44 ance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to
45 receive transfers of moneys under subsection (3)(b)(A) of this section.

1 (b) A county that has an ordinance prohibiting the establishment of a premises for which issu-
2 ance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under
3 subsection (3)(b)(B)(i) of this section.

4 (c) A county that has an ordinance prohibiting the establishment of a premises for which issu-
5 ance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive
6 transfers of moneys under subsection (3)(b)(B)(ii) of this section.

7 (5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and
8 county in this state shall certify with the commission whether the city or county has an ordinance
9 prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070,
10 475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is
11 not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails
12 to comply with this subsection, the county is not eligible to receive transfers of moneys under sub-
13 section (3)(b)(B) of this section.

14