

A-Engrossed
Senate Bill 133

Ordered by the Senate April 15
Including Senate Amendments dated April 15

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Health Care)

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.

[Directs Oregon Health Authority to develop training for frontline behavioral health providers. Defines "frontline behavioral health providers."]

[Declares emergency, effective on passage.]

Prohibits provider of substance abuse, problem gambling or mental health services and support from accepting or paying patient referral bonus or falsely advertising individual's need for services or support or individual's eligibility to participate in medical assistance program.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to behavioral health care; and prescribing an effective date.

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

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

(a) "Advertisement" means a public notice, announcement or communication in any form or by means of any media that describes a mental health or substance abuse treatment service or facility for the purpose of promoting, soliciting the purchase of or selling substance abuse, problem gambling or mental health services and support that a person provides to residents of this state.

(b)(A) "Person" means a natural person, a partnership, a limited partnership, a limited liability partnership, a corporation, a professional corporation, a nonprofit corporation, a limited liability company, a business trust or another business entity.

(B) "Person" does not include a public body, as defined in ORS 174.109, or the Oregon Health and Science University.

(c) "Substance abuse, problem gambling or mental health services and support" means all services and supports necessary to treat substance abuse, problem gambling or other mental health issues, such as outpatient behavioral health services and supports for children and adults, intensive treatment services for children, outpatient and residential substance use disorders treatment services and outpatient and residential problem gambling treatment services.

(2) A person that provides substance abuse, problem gambling or mental health services and support may not:

(a) Accept from another person, or pay to another person, a fee, commission, bonus, re-

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 **bate or other compensation for a referral of, or to refer, a resident of this state for sub-**
2 **stance abuse, problem gambling or mental health services and support.**

3 **(b) Issue, engage, pay for, disseminate or otherwise make available an advertisement that**
4 **intentionally falsely states or misrepresents the need for a resident of this state to obtain**
5 **substance abuse, problem gambling or mental health services and support outside this state**
6 **or at a facility that is located outside this state.**

7 **(c) Intentionally misrepresent or falsely state in an advertisement a resident of this**
8 **state's eligibility to participate in a medical assistance program.**

9 **SECTION 2. This 2019 Act takes effect on the 91st day after the date on which the 2019**
10 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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