

Enrolled
Senate Bill 133

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CHAPTER

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, rebate or other compensation for a referral of, or to refer, a resident of this state for substance abuse, problem gambling or mental health services and support.**

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

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

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

Passed by Senate April 25, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 4, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State