

**A-Engrossed**  
**Senate Bill 140**

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.

Establishes Emergency Department Boarding Pilot Project in Oregon Health Authority. Establishes Task Force on Emergency Department Boarding. Specifies membership and duties.  
Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to providing appropriate care to individuals with mental illness; and declaring an emer-  
3 gency.

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

5 **SECTION 1. (1) The Emergency Department Boarding Pilot Project is established in the**  
6 **Oregon Health Authority. The authority shall provide grants to hospitals to determine the**  
7 **effectiveness of strategies for providing immediate access to appropriate treatment for indi-**  
8 **viduals experiencing behavioral health crises who are being held in an emergency room due**  
9 **to the lack of alternative treatment options.**

10 **(2) The authority shall award grants under subsection (1) of this section to hospitals that:**

11 **(a) Develop community-wide strategies for collaborating with community partners on the**  
12 **placement of individuals experiencing behavioral health crises;**

13 **(b) Collect and analyze data to measure outcomes and evaluate the effectiveness of var-**  
14 **ious strategies; and**

15 **(c) Encourage immediate and appropriate placement of individuals experiencing behav-**  
16 **ioral health crises outside of emergency department settings.**

17 **(3) Grants awarded under subsection (2) of this section must include at least one grant**  
18 **to a hospital located in a rural or frontier area, as defined by the Office of Rural Health.**

19 **SECTION 2. (1) The Task Force on Emergency Department Boarding is established.**

20 **(2) The task force consists of 20 members appointed as follows:**

21 **(a) The President of the Senate shall appoint one member from among members of the**  
22 **Senate.**

23 **(b) The Speaker of the House of Representatives shall appoint one member from among**  
24 **members of the House of Representatives.**

25 **(c) The Governor shall appoint:**

26 **(A) Two members representing rural and urban hospitals;**

**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) One member representing community mental health programs;**  
2       **(C) Two members from the Department of Human Services, one of whom works in the**  
3 **division of the department that serves older adults and persons with disabilities and one of**  
4 **whom works in the division of the department that provides child welfare services;**  
5       **(D) One member from the Department of Corrections;**  
6       **(E) One member representing law enforcement agencies;**  
7       **(F) One member from the Oregon Health Authority;**  
8       **(G) One member representing individuals with developmental disabilities;**  
9       **(H) One member who is an emergency room physician;**  
10       **(I) One member who is a psychiatrist;**  
11       **(J) One member who is a psychiatric nurse practitioner;**  
12       **(K) One member representing a substance use disorder treatment center;**  
13       **(L) One member from the Department of Veterans' Affairs;**  
14       **(M) One member who is a direct care provider of mental health treatment who is not a**  
15 **manager where the member is employed;**  
16       **(N) One member representing a community mental health center;**  
17       **(O) One member representing a federally qualified health center; and**  
18       **(P) One member from an organization that advocates for persons with mental illness.**  
19       **(3) In making appointments, the Governor shall ensure equal representation from rural**  
20 **and urban regions of this state with a focus on representing all of the state.**  
21       **(4) The task force shall identify the root causes of patients experiencing behavioral**  
22 **health crises being held in hospitals due to the lack of alternative community placements or**  
23 **services and propose solutions, including but not limited to:**  
24       **(a) Statutory changes;**  
25       **(b) State funding; and**  
26       **(c) Workforce development.**  
27       **(5) A majority of the voting members of the task force constitutes a quorum for the**  
28 **transaction of business.**  
29       **(6) Official action by the task force requires the approval of a majority of the voting**  
30 **members of the task force.**  
31       **(7) The task force shall elect one of its members to serve as chairperson.**  
32       **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**  
33 **ment to become immediately effective.**  
34       **(9) The task force shall meet at times and places specified by the call of the chairperson**  
35 **or of a majority of the voting members of the task force.**  
36       **(10) The task force may adopt rules necessary for the operation of the task force.**  
37       **(11) The task force shall submit a report, in the manner provided by ORS 192.245, to the**  
38 **interim committees of the Legislative Assembly related to health:**  
39       **(a) No later than February 1, 2020, that contains the initial recommendations of the task**  
40 **force; and**  
41       **(b) No later than September 15, 2020, that contains the final recommendations of the task**  
42 **force, including recommendations for legislation, if any.**  
43       **(12) The Legislative Policy and Research Director shall provide staff support to the task**  
44 **force.**  
45       **(13) Members of the Legislative Assembly appointed to the task force are nonvoting**

1 **members of the task force and may act in an advisory capacity only.**

2 **(14) Members of the task force who are not members of the Legislative Assembly are not**  
3 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**  
4 **force.**

5 **(15) All agencies of state government, as defined in ORS 174.111, are directed to assist**  
6 **the task force in the performance of the duties of the task force and, to the extent permitted**  
7 **by laws relating to confidentiality, to furnish information and advice the members of the task**  
8 **force consider necessary to perform their duties.**

9 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**  
10 **ated to the Oregon Health Authority, for the biennium beginning July 1, 2019, out of the**  
11 **General Fund, the amount of \$3,250,000 which may be expended for administering and pro-**  
12 **viding grants in the Emergency Department Boarding Pilot Project established in section 1**  
13 **of this 2019 Act.**

14 **SECTION 4. Section 1 of this 2019 Act becomes operative on July 1, 2019.**

15 **SECTION 5. Section 2 of this 2019 Act is repealed on December 31, 2020.**

16 **SECTION 6. This 2019 Act being necessary for the immediate preservation of the public**  
17 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
18 **on its passage.**

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