

SB 358 A STAFF MEASURE SUMMARY

Senate Committee On Health Care

Action Date: 03/10/21

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 4-1-0-0

Yeas: 4 - Beyer, Knopp, Manning Jr, Patterson

Nays: 1 - Heard

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 3/3, 3/10

WHAT THE MEASURE DOES:

Clarifies disciplinary processes for behavior analysis practitioners. Allows applied behavior analysis professional to provide outpatient treatment for mental or emotional disorder or chemical dependency to minors 14 years of age or older without patient's parental consent. Requires applied behavior analysis professional to report child abuse and to report prohibited or unprofessional conduct of another applied behavior analysis professional. Prohibits applied behavior analysis professional from practicing conversion therapy to minors under 18 years of age. Requires Behavior Analysis Regulatory Board licensees to report prohibited or unprofessional conduct, criminal arrests, and specified investigations to the Board. Delays sunset of requirement that health benefit plan provide coverage for treatment of autism spectrum disorder provided by applied behavior analysis professional to January 2, 2030. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Senate Bill 365 (2013)
- Federal Mental Health Parity and Addiction Equity Act and Affordable Care Act coverage requirements
- Alignment with other health professional requirements and regulations
- Benefits of applied behavior analysis services
- Prevalence of autism

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Senate Bill 365 (2013) established requirements for coverage of applied behavior analysis (ABA) for treatment of autism spectrum disorders by health benefit plans, health care service contractors, the Public Employees' Benefit Board (PEBB) and the Oregon Educators Benefit Board (OEBB). The bill also created the Behavior Analysis Regulatory Board to license providers of ABA in Oregon. Senate Bill 696 (2015) established a statutory definition of "applied behavior analysis" and established criteria for licensure of behavior analysts and assistant behavior analysts.

Senate Bill 358 A delays the sunset of the requirement that health insurers reimburse for applied behavior analysis services and modifies provisions related to behavioral analysis professionals.