

Enrolled Senate Bill 721

Sponsored by COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH AND RECOVERY

CHAPTER

AN ACT

Relating to the Consumer Advisory Council; amending ORS 430.071 and 430.073; and prescribing an effective date.

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

SECTION 1. ORS 430.071 is amended to read:

430.071. The Oregon Health Authority shall adopt [*a policy*] **policies** that [*supports and promotes*] **support and promote** self-determination for persons receiving mental health **and substance use disorder** services. The [*policy*] **policies** shall be designed to remove barriers that:

- (1) Segregate persons with disabilities from full participation in the community in the most integrated setting in accordance with the United States Supreme Court decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999); and
- (2) Prevent persons with disabilities from enjoying a meaningful life, the benefits of community involvement and citizen rights guaranteed by law.

SECTION 2. ORS 430.073 is amended to read:

430.073. (1) As used in this section and ORS 430.075, “consumer” means a person who has received or is receiving mental health or [*addiction*] **substance use disorder** services.

(2) The Director of the Oregon Health Authority shall [*establish a*] **maintain an independent** Consumer Advisory Council to:

- (a) Advise the director on the provision of mental health **and substance use disorder** services by the Oregon Health Authority.
- (b) [*The council may*] Review, evaluate and provide feedback on all site reviews related to mental health **and substance use disorder** services provided by the authority.
- (c) **Review and approve policy proposals developed in accordance with ORS 430.071.**
- (d) **Make recommendations for policies in accordance with ORS 430.071.**
- (e) **Provide useful perspectives and experiences.**
- (f) **Communicate concerns, emergency needs or general conditions related to the delivery of mental health and substance use disorder services.**

(3) [*The director shall appoint 15 to 25 consumers to the council*] **Consistent with the policy expressed in ORS 430.071 to support and promote self-determination for consumers, 15 to 25 individuals shall be selected as members of the council by:**

- (a) **Existing consumers on the council; or**
- (b) **A seven-person subcommittee of the council, appointed by the members of the council, consisting of individuals who represent consumer-run service agencies or consumer-run advocacy agencies that are active or headquartered in this state.**

(4) In making appointments to the council, the [director] council shall strive to balance the representation according to geographic areas of the state, race, ethnicity and age.

(5) The council may convene cooperative work groups and conduct fact-finding.

[(4)] (6) The authority shall provide administrative support to the council.

[(5)] (7) A member of the council is entitled to compensation in an amount determined by the director and to actual and necessary travel expenses incurred by the member in the performance of the member's official duties. Claims for compensation and expenses shall be paid out of funds appropriated to the authority for purposes of the council.

SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by Senate April 21, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 7, 2021

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State