

HB 4070 STAFF MEASURE SUMMARY**Carrier:** Rep. Nosse**House Committee On Behavioral Health****Action Date:** 02/08/22**Action:** Do Pass.**Vote:** 11-0-0-0**Yeas:** 11 - Goodwin, Hoy, Lively, Moore-Green, Morgan, Nelson, Nosse, Reynolds, Sosa, Witt, Wright**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Oliver Droppers, LPRO Analyst**Meeting Dates:** 2/3, 2/8**WHAT THE MEASURE DOES:**

Authorizes the Director of the Oregon Health Authority (OHA) to appoint members to the Oregon Consumer Advisory Council (OCAC) from a list of consumer candidates submitted by existing consumer members on the OCAC, or by a seven-member subcommittee appointed by OCAC. Expands and modifies OCAC's advisory duties as permitted by federal law and in accordance with existing Oregon law (ORS 430.071, 2021). Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Senate Bill 721 and Governor Brown's veto of the measure in 2021
- Mental health consumer advisory and advocacy group

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Created in 2007, the Consumer Advisory Council (OCAC) advises the Oregon Health Authority (OHA) on how to increase access to behavioral health services based on consumer community perspective and policies that promote self-determination for individuals receiving mental health or addiction services. Currently, the Director of OHA is responsible for appointing 15 to 25 consumers, who are eligible for travel expenses.

In 2021, the Legislative Assembly enacted Senate Bill 721, which sought to modify the appointing authority for OCAC membership; instead of the OHA Director appointing members, the existing members of OCAC would select new members or convene a seven-member subcommittee of current members to select new members. Governor Brown [vetoed](#) SB 721 to avoid a conflict with federal Medicaid law as the measure would have delegated OHA's authority to "approve" policies for Medicaid-funded mental health and substance use disorder programs to OCAC.

House Bill 4070 modifies the appointing authority for OCAC membership; instead of the OHA Director appointing members, the existing members of OCAC will select new members or convene a seven-member subcommittee of current members to select new members. The measure also clarifies the role of OCAC in terms of review of OHA policy.