

# House Bill 4011

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Human Services for Representative Anna Williams)

## 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 **as introduced**.

Creates qualified mental health associate incentive program within Oregon Health Authority. Appropriates moneys from General Fund to authority for purpose of providing loan repayment subsidies through program to qualified mental health associates serving children in child-caring agencies.

Directs Department of Human Services to develop and administer qualified mental health associate apprenticeship program. Prescribes certain educational and training requirements for persons to serve as qualified mental health associates assisting child-caring agencies. Appropriates moneys from General Fund to department, Bureau of Labor and Industries and Oregon Health Authority for apprenticeship program.

Establishes Child Welfare Cultural Equity Program within Department of Human Services to connect children served by department with child welfare service providers who meet children's cultural diversity needs. Appropriates moneys from General Fund to department for program.

Directs Department of Human Services to conduct comprehensive review of child welfare service provider rate structures and submit report to interim committees of Legislative Assembly related to human services.

Directs Oregon Health Authority to conduct biennial nursing market study. Directs authority to consider results of most recent study when making annual adjustments to Medicaid reimbursement rates for providers of children's intensive in-home services.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to child welfare; creating new provisions; amending ORS 676.450; and prescribing an effective date.  
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4 **Be It Enacted by the People of the State of Oregon:**

## 5 6 QUALIFIED MENTAL HEALTH ASSOCIATES

7 (Student Loan Forgiveness)  
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9 **SECTION 1.** (1) **There is created in the Oregon Health Authority a qualified mental health**  
10 **associate incentive program for the purpose of providing loan repayment subsidies to quali-**  
11 **fied mental health associates who commit to serving children in child-caring agencies in this**  
12 **state. The authority shall prescribe by rule:**

13 (a) **Participant eligibility criteria, including the types of qualified mental health associ-**  
14 **ates who may participate in the program;**

15 (b) **The terms and conditions of participation in the program, including the duration of**  
16 **the term of any service agreement, which must be at least 24 months;**

17 (c) **If the funds allocated to the program from the Health Care Provider Incentive Fund**  
18 **established under ORS 676.450 are insufficient to provide assistance to all applicants who are**  
19 **eligible to participate in the program, the priority for the distribution of funds; and**

20 (d) **The financial penalties imposed on an individual who fails to comply with the terms**  
21 **and conditions of participation.**

**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 by a national accreditation organization approved by the Oregon Health Authority or the  
2 Department of Human Services by rule;

3 (b) Is actively enrolled in, or has completed, the apprenticeship program described in  
4 subsection (1) of this section or a comparable apprenticeship program identified by the au-  
5 thority by rule;

6 (c) Provides the child-caring agency with documentation showing that the person has  
7 completed a training program identified by the authority by rule; and

8 (d) Every two years completes 16 hours of continuing education approved by the author-  
9 ity.

10 (3) As used in this section, “child-caring agency” has the meaning given that term in ORS  
11 418.205.

12 **SECTION 4.** The Department of Human Services and the Bureau of Labor and Industries  
13 may apply for and obtain gifts and grants of money from any public or private source for the  
14 use and benefit of the qualified mental health associate apprenticeship program described in  
15 section 3 of this 2022 Act and shall expend funds received in accordance with the terms of  
16 such gifts and grants.

17 **SECTION 5.** The Department of Human Services, in collaboration with the Bureau of  
18 Labor and Industries and the Oregon Health Authority, shall study issues related to the  
19 implementation of the qualified mental health associate apprenticeship program described in  
20 section 3 of this 2022 Act, including necessary funding requirements, and shall report, in the  
21 manner provided by ORS 192.245, the results of the study to the interim committees of the  
22 Legislative Assembly related to human services, no later than September 15, 2022.

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24 **WORKFORCE DIVERSITY**

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26 **SECTION 6.** (1) The Child Welfare Cultural Equity Program is established within the  
27 Department of Human Services. The purpose of the program is to ensure access to a diverse  
28 set of child welfare service providers consistent with the cultural diversity needs of the  
29 population being served.

30 (2) Under the program, the department may develop, or contract with nonprofit organ-  
31 izations to assist in the development of:

32 (a) Methods for determining the cultural diversity needs of the children receiving child  
33 welfare services from the department;

34 (b) Methods for incentivizing the recruitment and retention of a diverse set of child  
35 welfare service providers; and

36 (c) Best practices for connecting a child served by the department with child welfare  
37 service providers who meet the child’s cultural diversity needs.

38 (3) The department may adopt rules to implement and carry out the provisions of this  
39 section.

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41 **CHILD WELFARE SERVICE PROVIDER COMPENSATION**

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43 **SECTION 7.** (1) The Department of Human Services shall conduct a comprehensive re-  
44 view of child welfare service provider rate structures.

45 (2) The department shall submit a report to the interim committees of the Legislative

1 Assembly related to human services, in the manner provided in ORS 192.245, no later than  
2 September 15, 2022. The report must include the department’s findings from the review  
3 conducted under subsection (1) of this section and recommendations for updates to the rate  
4 structures that the department determines are necessary to promote long-term workforce  
5 sustainability.

6 **SECTION 8.** (1) At least once each biennium, the Oregon Health Authority shall conduct  
7 a nursing market study for the purpose of determining the appropriate Medicaid reimburse-  
8 ment rates for providers of children’s intensive in-home services.

9 (2) No later than July 1 of each year, the authority shall adjust the Medicaid reimburse-  
10 ment rates for providers of children’s intensive in-home services, taking into consideration  
11 the results of the most recent study conducted under subsection (1) of this section and ap-  
12 plying a cost-of-living adjustment, as determined on an annual basis by the authority by rule.

13 (3) As used in this section, “intensive in-home services” has the meaning given that term  
14 in ORS 418.575.

15 **SECTION 9.** The Oregon Health Authority shall first adjust the Medicaid reimbursement  
16 rates described in section 8 of this 2022 Act no later than July 1, 2023, and every July 1  
17 thereafter.

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19 **APPROPRIATIONS**

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21 **SECTION 10.** (1) In addition to and not in lieu of any other appropriation, there is ap-  
22 propriated to the Oregon Health Authority, for the biennium ending June 30, 2023, out of the  
23 General Fund, the amount of \$250,000, for deposit in the Health Care Provider Incentive Fund  
24 established in ORS 676.450, and which may be expended for the purpose of providing loan  
25 repayment subsidies to qualified mental health associates participating in the qualified men-  
26 tal health associate incentive program under section 1 of this 2022 Act.

27 (2) In addition to and not in lieu of any other appropriation, the following amounts are  
28 appropriated for the biennium ending June 30, 2023, out of the General Fund, for the purpose  
29 of establishing and administering the qualified mental health associate apprenticeship pro-  
30 gram as provided in sections 3 to 5 of this 2022 Act:

- 31 (a) \$90,000 to the Bureau of Labor and Industries.
- 32 (b) \$60,000 to the Oregon Health Authority.
- 33 (c) \$90,000 to the Department of Human Services.

34 (3) In addition to and not in lieu of any other appropriation, there is appropriated to the  
35 Department of Human Services, for the biennium ending June 30, 2023, out of the General  
36 Fund, the amount of \$250,000 for the purpose of carrying out the provisions of section 6 of  
37 this 2022 Act.

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39 **REPEALS**

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41 **SECTION 11.** Sections 5 and 7 of this 2022 Act are repealed on January 2, 2023.

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43 **CAPTIONS**

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45 **SECTION 12.** The unit captions used in this 2022 Act are provided only for the conven-

1 ience of the reader and do not become part of the statutory law of this state or express any  
2 legislative intent in the enactment of this 2022 Act.

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**EFFECTIVE DATE**

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6 **SECTION 13.** This 2022 Act takes effect on the 91st day after the date on which the 2022  
7 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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