

# House Bill 4126

Sponsored by Representative HUDSON, Senator DEMBROW, Representatives NOSSE, CAMPOS, VALDERRAMA, Senators GORSEK, LAWRENCE SPENCE, MANNING JR, WAGNER; Representatives PHAM, PRUSAK, SCHOUTEN, WILDE, Senators FREDERICK, GELSER BLOUIN, GOLDEN, JAMA, LIEBER, PATTERSON (Presession filed.)

## 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**.

Imposes requirements for accepting bids and proposals for contracts for provision and delivery of publicly financed behavioral health or addiction treatment or services. Requires certain material provisions for contracts between state contracting agencies and covered providers for provision of such treatment or services.

## A BILL FOR AN ACT

1  
2 Relating to state contracts for publicly financed services.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **“Assist, promote or deter union organizing” has the meaning given that term in ORS**  
6 **243.670.**

7 (b) **“Covered provider” means a private, community-based organization that provides be-**  
8 **havioral health or addiction treatment or services.**

9 (c) **“Labor dispute” has the meaning given that term in ORS 662.010.**

10 (d) **“Labor organization” has the meaning given that term in ORS 663.005.**

11 (e) **“State contracting agency” has the meaning given that term in ORS 279A.010.**

12 (2) **A state contracting agency shall require, before accepting bids or proposals for a**  
13 **contract for the provision and delivery of publicly financed behavioral health or addiction**  
14 **treatment or services, that each covered provider that submits a bid or proposal to provide**  
15 **such treatment or services include with the bid or proposal:**

16 (a) **An attestation, signed by the covered provider, stating that the covered provider will,**  
17 **if requested by a labor organization that seeks to represent the employees of the covered**  
18 **employer who will perform services under the contract, enter into an agreement with the**  
19 **labor organization that includes a process for the resolution of labor disputes that ensures**  
20 **the uninterrupted provision and delivery of services; or**

21 (b) **An attestation, signed by the covered provider, stating that the provider has entered**  
22 **into an agreement with the labor organization that represents the employees of the covered**  
23 **provider who will perform services under the contract that includes a process for the resol-**  
24 **ution of labor disputes that ensures the uninterrupted provision and delivery of services for**  
25 **the duration of the contract.**

26 (3) **Every contract between a covered provider and a state contracting agency entered**  
27 **into for the provision and delivery of publicly financed behavioral health or addiction treat-**  
28 **ment or services shall require, as a material provision of the contract:**

**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 (a)(A) If, at the time of the execution of the contract, the employees of a covered pro-  
2 vider who perform services under the contract are not represented by a labor organization,  
3 that the covered provider submit an attestation, signed by the covered provider, stating that  
4 the covered provider will, if requested by a labor organization that seeks to represent the  
5 employees of the covered employer who will perform services under the contract, enter into  
6 an agreement with the labor organization that includes a process for the resolution of labor  
7 disputes that ensures the uninterrupted provision and delivery of services for the duration  
8 of the contract; or

9 (B) If, at the time of execution of the contract or at any time during the term of the  
10 contract, the employees of a covered provider who perform services under the contract are  
11 represented by a labor organization, that the covered provider submit an attestation, signed  
12 by the provider, stating that the provider and labor organization that represents the em-  
13 ployees have entered into an agreement that includes a process for the resolution of labor  
14 disputes that ensures the uninterrupted provision and delivery of services for the duration  
15 of the contract; and

16 (b) A statement that a covered provider may not use of any of the funds received under  
17 the contract to assist, promote or deter union organizing.

18 SECTION 2. Section 1 of this 2022 Act applies to contracts entered into or renewed on  
19 or after the effective date of this 2022 Act.

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