



Legislative Fiscal Office
 82nd Oregon Legislative Assembly
 2024 Regular Session

Prepared by: Emily Coates
 Reviewed by: Paul Siebert, Matt Stayner, Tom MacDonald, Amanda Beitel, Gregory Jolivet
 Date: February 15, 2024

Bill Title: Relating to behavioral health providers.

Government Unit(s) Affected: Department of Consumer and Business Services, Oregon Health Authority, Counties, Legislative Counsel, Legislative Assembly, Legislative Policy, and Research Office, Department of Human Services

Summary of Fiscal Impact

2023-25 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Oregon Health Authority	\$ 5,700,000	\$ -	\$ -	\$ 113,799	\$ 5,813,799	2	0.76
Total Fiscal Impact	\$ 5,700,000	\$ -	\$ -	\$ 113,799	\$ 5,813,799	2	0.76

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Oregon Health Authority	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
Total Fiscal Impact	\$ -	\$ -	\$ -	\$ -	\$ -	-	-

- This measure establishes a task force- see analysis below.
- The fiscal impact identified in the table for the Oregon Health Authority (OHA) does not include the duplicate Other Funds expenditure limitation necessary to pay for expenses through the OHA and Department of Human Services (DHS) Shared Services budget structure. Should this measure be adopted, the expenditure limitation will need to be established to properly budget for these expenses.

Measure Description

The measure establishes the United We Heal Medicaid Payment Program within OHA to increase the available behavioral health care workforce in Oregon. The measure requires OHA to provide payments to employers of behavioral health care providers, enabling the providers to offer enhanced apprenticeship training programs and opportunities. The measure provides a one-time \$4.7 million General Fund appropriation to OHA for the biennium ending June 30, 2025, for the United We Heal Medicaid Program provisions.

The measure creates the sixteen-member Task Force on Improving the Safety of Behavioral Health Workers which is to produce a set of recommendations for improving the safety of behavioral health workers. The bill directs the Legislative Policy and Research Office to provide staff support for the task force and Legislative Counsel to provide legal support for the drafting of legislative proposals.

In addition, the measure provides a one-time \$1 million General Fund appropriation to OHA for the biennium ending June 30, 2025, for distribution to the United We Heal Traomomg Trust, which must be used for providing grants to improve the safety of workers in behavioral health settings.

Fiscal Analysis

The fiscal impact of the measure is \$5.7 million General Fund, \$113,799 Federal Funds and, two limited duration positions (0.76 FTE) for the 2023-25 biennium. If the measure becomes law, Other Funds expenditure limitation of \$143,286 will be needed for the 2023-25 biennium to appropriately budget for the agencies' Shared Services budget structure.

Oregon Health Authority

The fiscal impact of the measure on OHA is \$5.7 million General Fund, \$113,799 Federal Funds and, two limited duration positions (0.76 FTE) for the 2023-25 biennium. The source of Federal Funds is federal Medicaid.

Of the \$5.7 million General Fund appropriated under the measure, OHA would distribute \$5.6 million to employers of behavioral health care providers. Currently, federal Medicaid matching funds have not been approved for payments to employers of behavioral health care providers. OHA reports the agency will request federal matching funds for these payments to support the program. The remaining General Fund and Medicaid match would be used for personal services and services and supplies costs. OHA anticipates needing one limited duration Operations and Policy Analyst 2 (0.38 FTE) to provide administrative support to the program and one limited duration Operations and Policy Analyst 3 (0.38 FTE) to ensure compliance with Centers for Medicare and Medicaid Services regulations and to inform and collaborate with federal and community partners.

OHA's Other Funds expenditure limitation will need to increase by \$79,908 to support the shared financial services provided by DHS.

Department of Human Services

The fiscal impact on DHS is minimal. The Office of Financial Services is a shared service providing financial services to both OHA and DHS but is budgeted within DHS. If this measure is adopted, DHS's Other Funds expenditure limitation will need to be increased by \$63,378 to support these expenditures.

Legislative Policy and Research Office

The bill requires the Legislative Policy and Research Office (LPRO) to provide staff support to the task force. LPRO assumes a minimal fiscal impact with existing staff to provide support to this Task Force. Assuming monthly meetings over seven months, this will require one Senior Legislative Analyst assigned full-time to the task force (0.38 FTE), one Research Analyst assigned part-time to the task force (0.19 FTE), and one Committee Assistant assigned part-time to the task force (0.19 FTE), at a total cost of \$275,184 using existing General Fund resources. The total cost includes \$20,900 for members of the task force who are not members of the Legislative Assembly for compensation and reimbursement of actual and necessary travel and other expenses.

Although LPRO's current service level budget supports interim committees and task forces, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2023-25 budget, additional General Fund resources may be required.

Legislative Assembly

The bill is also expected to have a minimal impact on the Legislative Assembly. Four members of the task force will be legislative members who are entitled to per diem and travel reimbursement. Meetings are set by the chairperson, and it is unknown how often the task force would meet; however, assuming that the task force meets seven times, the estimated per diem and travel reimbursement costs will total \$14,300. This amount includes the Federal Insurance Contribution Act (FICA) tax, assumes the per diem remains at \$166 per day, and estimates an average mileage of 80 miles at the current rate of \$0.67 per mile. This estimate could change based on the number of meetings held. The task force would not incur additional costs to the Legislative Assembly budget if the meetings are held at the Capitol building during the Legislative Session, or Task Force or Legislative Days.

Although the 2023-25 Legislative Assembly budget contains funds allocated for interim committees and task forces, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2023-25 budget, additional General Fund resources may be required.

Other Agencies

There is a minimal fiscal impact on Legislative Counsel, Department of Consumer Business and Services, and counties.

Relevant Dates

The measure declares an emergency and takes effect on passage, and the task force sunsets on December 31, 2025.

The task force is to report to an interim committee of the Legislative Assembly related to health on the preliminary draft policy recommendations for improving worker safety by September 1, 2024.

The task force is to report to an interim committee of the Legislative Assembly related to health the final recommendations to address the specified safety concerns that are prevalent in the behavioral health industry by December 1, 2024.