

HOUSE AMENDMENTS TO HOUSE BILL 4092

By COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE

February 22

- 1 On page 1 of the printed bill, line 17, after “430.880” insert “except ORS 430.630”.
- 2 Delete lines 18 through 20 and delete page 2.
- 3 On page 3, delete lines 1 through 40 and insert:
- 4 “(d) ORS 430.627, 430.628, 430.629 and 430.630.
- 5 “(3) The authority shall compile a report of the authority’s findings about the costs of providing
- 6 the services and performing the functions described in the sections listed in:
- 7 “(a) Subsection (2)(a), (b) and (d) of this section and make the report available on the authority’s
- 8 website no later than January 1, 2025, and every five years thereafter; and
- 9 “(b) Subsection (2)(c) of this section and make the report available on the authority’s website
- 10 no later than January 1, 2026, and every five years thereafter.
- 11 **“SECTION 2. (1) The Oregon Health Authority shall contract with the Oregon Council for**
- 12 **Behavioral Health to convene a group of behavioral health partners to conduct a study to:**
- 13 **“(a) Evaluate the provisions in ORS chapters 414 and 430, administrative rules and state**
- 14 **contracts affecting behavioral health care providers, coordinated care organizations, private**
- 15 **behavioral health care providers and community mental health programs; and**
- 16 **“(b) Make recommendations for revisions to the statutes, administrative rules and con-**
- 17 **tracts.**
- 18 **“(2) The study shall:**
- 19 **“(a) Identify redundancies, contradictions and outdated language in the provisions in ORS**
- 20 **chapters 414 and 430 and recommend solutions that address or resolve those redundancies,**
- 21 **contradictions or outdated language to increase efficiencies in the publicly funded behavioral**
- 22 **health system to better serve Oregonians;**
- 23 **“(b) Define and clarify the roles and responsibilities under ORS chapters 414 and 430 and**
- 24 **related contract expectations and deliverables of all major behavioral health system partners**
- 25 **that constitute the public behavioral health system, including but not limited to coordinated**
- 26 **care organizations, community mental health programs, behavioral health organizations,**
- 27 **county governments and the Oregon Health Authority; and**
- 28 **“(c) Develop recommendations to ensure a regulatory framework that is better for the**
- 29 **population of behavioral health care consumers and the publicly funded providers needed to**
- 30 **serve the population, including by:**
- 31 **“(A) Maximizing access to behavioral health services;**
- 32 **“(B) Creating portability and accountability for the behavioral health workforce;**
- 33 **“(C) Promoting behavioral and physical health integration; and**
- 34 **“(D) Addressing the differences between the regulatory structures for privately funded**
- 35 **and publicly funded health systems in this state.**

1 **“(3) The group conducting the study must include representatives of:**
2 **“(a) Consumers of behavioral health services;**
3 **“(b) Coordinated care organizations;**
4 **“(c) Community mental health programs;**
5 **“(d) Culturally-specific behavioral health organizations;**
6 **“(e) Behavioral health advocacy organizations;**
7 **“(f) County governments;**
8 **“(g) The Mental Health Regulatory Agency;**
9 **“(h) Behavioral health care providers that contract with the state or with local govern-**
10 **ments;**
11 **“(i) Labor organizations that represent the behavioral health workforce;**
12 **“(j) Hospitals;**
13 **“(k) The Mental Health and Addiction Certification Board of Oregon;**
14 **“(L) The units of the Oregon Health Authority responsible for Medicaid, behavioral health**
15 **services, quality, compliance and program integrity;**
16 **“(m) The nine federally recognized tribes in Oregon; and**
17 **“(n) The Judicial Department.**
18 **“(4) Consumers of behavioral health services who serve on the group conducting the**
19 **study must be ensured a meaningful opportunity to participate in developing the group’s**
20 **recommendations.**
21 **“(5) Members of the group conducting the study who are not employed by a state agency,**
22 **county government or city government are entitled to a stipend and reimbursement of travel**
23 **or other expenses as provided in ORS 292.495. Stipends shall be paid in a manner that allows**
24 **the stipends to be excluded from income in determining eligibility for medical assistance, to**
25 **the extent practicable under federal law.**
26 **“(6) All agencies of state government, as defined in ORS 174.111, are directed to assist**
27 **the group in conducting the study and, to the extent permitted by laws relating to**
28 **confidentiality, to furnish information and advice the members of the group consider neces-**
29 **sary to conduct the study and develop recommendations.**
30 **“(7) The council shall work in partnership with two to four members of the group to**
31 **conduct a procurement, no later than June 30, 2024, to hire a consultant to assist the group**
32 **in conducting the study.**
33 **“(8) No later than December 15, 2024, to the greatest extent practicable, the group shall**
34 **report the group’s preliminary recommendations for legislative changes related to subsection**
35 **(2)(a) of this section to the interim committees of the Legislative Assembly related to be-**
36 **havioral health. The report need not comply with ORS 192.245.**
37 **“(9) No later than December 15, 2025, the group shall submit a final report of the group’s**
38 **findings and recommendations developed under subsections (1) and (2) of this section, in the**
39 **manner provided in ORS 192.245, to the interim committees of the Legislative Assembly re-**
40 **lated to behavioral health. The recommendations may include proposed legislation.**
41 **“SECTION 3. Section 1 of this 2024 Act is amended to read:**
42 **“Sec. 1. (1) The Oregon Health Authority, in consultation with counties and community mental**
43 **health programs, shall conduct a study to determine the funding required for each community mental**
44 **health program to provide the services and perform the functions required by law related to indi-**
45 **viduals with behavioral health disorders in the following age groups:**

1 “(a) Newborns through youth 17 years of age;

2 “(b) Ages 18 through 25; and

3 “(c) Ages 26 and older.

4 “(2) The study must include, but is not limited to, the costs of providing the services and per-
5 forming the functions described in:

6 “(a) ORS 161.315 to 161.351, 161.355 to 161.371, 161.385 to 161.395 and 161.505 to 161.585.

7 “(b) ORS 426.005 to 426.390, 426.510 to 426.680, 426.701 and 426.702.

8 “(c) ORS 430.021, 430.210, 430.230 to 430.236, 430.265 to 430.380, 430.397 to 430.401, 430.405 to
9 430.565 and 430.610 to 430.880 except ORS 430.630.

10 “(d) ORS 430.627, 430.628, 430.629 and 430.630.

11 “(3) The authority shall compile [*a report*] **reports** of the authority’s findings about the costs
12 of providing the services and performing the functions described in [*the sections listed in:*]

13 “[*(a) Subsection (2)(a), (b) and (d) of this section and make the report available on the authority’s*
14 *website no later than January 1, 2025, and every five years thereafter; and*]

15 “[*(b) Subsection (2)(c) of this section and make the report available on the authority’s website no*
16 *later than January 1, 2026, and every five years thereafter*] **subsection (2) of this section every five**
17 **years and make the reports available on the authority’s website.**

18 “**SECTION 4. The amendments to section 1 of this 2024 Act by section 3 of this 2024 Act**
19 **become operative on January 2, 2026.**

20 “**SECTION 5. Section 2 of this 2024 Act is repealed on January 2, 2026.**

21 “**SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-**
22 **priated to the Oregon Health Authority, for the biennium ending June 30, 2025, out of the**
23 **General Fund, the amount of \$_____, which shall be paid to the Oregon Council for Be-**
24 **havioral Health for the hiring of the consultant under section 2 (7) of this 2024 Act and for**
25 **the stipends and reimbursement of travel or other expenses under section 2 (5) of this 2024**
26 **Act.”.**

27 In line 41, delete “6” and insert “7”.
28 _____