



OREGON PSYCHIATRIC  
PHYSICIANS ASSOCIATION

Date: February 13, 2024

To: Rep. Rob Nosse, Chair  
Rep. Travis Nelson, Vice-Chair  
Rep. Christine Goodwin, Vice-Chair

From: Daniel Nicoli, DO, Chair  
Bennett Garner, MD, Vice-Chair  
Oregon Psychiatric Physicians Association Legislative Committee

RE: HB 4139 Certificate of need exclusion for Behavioral Health facilities

Chair Nosse, Vice Chairs Nelson and Goodwin and members of the committee, please accept this testimony for the record on behalf of the Oregon Psychiatric Physicians Association. OPPIA has concerns about HB 4139 and the impact on access to care for patients with Medicaid, Medicare, or no insurance.

HB 4139 would exclude new hospitals providing inpatient psychiatric services, inpatient rehabilitation services or inpatient or outpatient substance use treatment and new long term care facilities from the requirement to obtain a certificate of need from the Oregon Health Authority.

OHA plays an important oversight role in the approval of new hospitals and facilities. Skipping close evaluation of programs is ill-advised and establishes a risk that proposed services may not meet the needs of state residents. Independent evaluation also serves to provide assurance that the institution will protect residents.

The current mental health crisis of too few services does not justify a permanent suspension of reasonable oversight.

Reasonable proposed facilities and programs should have no difficulty demonstrating that the services to be provided will be needed, given the current deficiency in beds and clinical mental health services.

Current care providers need financial protection from new service facilities which might choose to only serve Oregon residents who are fully able to pay through in-

urance or by private pay. The risk is that current facilities, which already struggle to cover costs with current payments, will be expected to care for a disproportionate number of people who cannot pay.

The Certificate of Need process can assure that new inpatient facilities will establish linkages with outpatient programs for follow up services. There should be a requirement that hospitals must cooperate and communicate with care coordination teams including but not limited to facilitating the signing of release of information authorizations. It also will allow for independent review of plans for admission for people from other states. If a new psychiatric hospital has programs specifically for people from other states, the number of new beds for Oregon residents will be diminished.

Thank you for the opportunity to provide our perspective on this bill.