

SB 1197 -1, -2 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 4/9

WHAT THE MEASURE DOES:

The measure requires respite care services to be provided through the state medical assistance program to unpaid caregivers of individuals under age 26 who have complex mental health or substance use-related needs. The measure requires the Oregon Health Authority (OHA) to support the availability of respite care services provided through coordinated care organizations (CCOs). The measure requires OHA to apply for a waiver to receive federal financial assistance for providing respite care through the state medical assistance program.

Detailed Summary:

- Requires respite care services to be provided through the state medical assistance program to unpaid caregivers of individuals under age 26 who have complex mental health or substance use-related needs.
- Requires OHA to support the availability of respite care services provided through CCOs using any available funding resources.
- Requires OHA to dedicate staff resources to design an application for federal approval and provide adequate statewide access to respite care services.
- Directs OHA to apply for a waiver to receive financial assistance from the federal government by January 1, 2026 and notify Legislative Counsel upon receiving approval or denial of the waiver request.
- Becomes operative on the date on which Legislative Counsel receives notice of federal approval of the waiver request.
- Authorizes OHA to take any necessary action ahead of the operative date.
- Takes effect on the 91st day following adjournment sine die.

REVENUE: No revenue impact

FISCAL: Fiscal impact issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 The amendment replaces the measure. The amendment requires respite care services to be provided through the state medical assistance program to children and youth who have complex behavioral health needs or an intellectual or developmental disability and their caregivers. The amendment requires the Oregon Health Authority (OHA) to support the availability of respite care services and to apply for federal approval to provide respite care services through the state medical assistance program.

Detailed Summary:

- Defines "respite care services" as planned or emergency short-term care for a child or youth to provide short-term relief to the child or youth or a caregiver.
- Requires respite care services to be provided through the state medical assistance program to:
 - caregivers of children and youth under age 26 who have complex behavioral health needs or an intellectual or developmental disability; and
 - children or youth over age 14 who have complex behavioral health needs or an intellectual or developmental disability.
- Requires that respite care be provided in home or community-based settings, except that facility-based settings are allowed for children and youth with higher acuity.

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- Requires OHA to support the availability of respite care services using any available funding resources.
- Requires OHA to dedicate staff resources to seek federal approval and provide and provide adequate statewide access to respite care services.
- Directs OHA to seek any necessary federal approval by January 1, 2026 and notify Legislative Counsel upon receiving approval or denial of the waiver request.
- Becomes operative on the date on which Legislative Counsel receives notice of federal approval.
- Authorizes OHA to take any necessary action ahead of the operative date.
- Takes effect on the 91st day following adjournment sine die.

REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

-2 The amendment replaces the measure. The amendment requires respite care services to be provided through the state medical assistance program to children and youth who have complex behavioral health needs or an intellectual or developmental disability and their caregivers. The amendment requires the Oregon Health Authority (OHA) to support the availability of respite care services and to apply for federal approval to provide respite care services through the state medical assistance program.

Detailed Summary:

- Defines "respite care services" as planned or emergency short-term care for a child or youth to provide short-term relief to the child or youth or their caregivers.
- Requires respite care services to be provided through the state medical assistance program to children and youth under age 26 who have complex behavioral health needs or an intellectual or developmental disability and their caregivers.
- Requires that respite care be provided in home-based settings, except that out-of-home settings are allowed for children and youth with higher acuity.
- Requires OHA to support the availability of respite care services using any available funding resources.
- Requires OHA to dedicate staff resources to seek federal approval and provide and provide adequate statewide access to respite care services.
- Directs OHA to seek any necessary federal approval by January 1, 2026 and notify Legislative Counsel upon receiving approval or denial of the waiver request.
- Becomes operative on the date on which Legislative Counsel receives notice of federal approval.
- Authorizes OHA to take any necessary action ahead of the operative date.
- Takes effect on the 91st day following adjournment sine die.

REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

Respite care generally refers to a method of relieving a person's caregiver by temporarily transferring responsibility for providing care to another person or provider. Respite care services are provided, both formally and informally, for caregivers of children and youth with complex needs, such as intellectual or developmental disabilities (IDD), mental or behavioral health conditions, or substance use disorder. While informal respite care can involve friends, family members, or community settings, formal respite care involves licensed or certified professional respite providers such as [Relief Nurseries](#) or respite foster families for [juvenile justice-](#) or [child welfare-](#)involved youth.

A March 2024 [report](#) issued by the [System of Care Advisory Council](#) contained recommendations for an expansion of the availability of respite care services across the systems of care for youth with complex needs. The report recommended using Medicaid waivers to increase funding availability for respite care providers, as well as

directing the Oregon Health Authority to issue guidance to coordinated care organizations on increasing access to respite care services for individuals enrolled in the Oregon Health Plan.

PRELIMINARY