

SB 729 STAFF MEASURE SUMMARY**Carrier:** Rep. Nosse**House Committee On Early Childhood and Human Services****Action Date:** 05/20/25**Action:** Do Pass.**Vote:** 9-0-0-0**Yeas:** 9 - Elmer, Hartman, Javadi, McIntire, Nelson, Nosse, Ruiz, Scharf, Walters**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Taylor Bickel, LPRO Analyst**Meeting Dates:** 4/29, 5/20**WHAT THE MEASURE DOES:**

The measure extends to all public bodies an existing prohibition on denying access to mental health services on the basis that an individual has an intellectual or development disability (IDD); the prohibition currently applies to the Oregon Health Authority, education providers, licensed medical providers and practitioners, community mental health programs, and coordinated care organizations. The measure expands the prohibition to apply to all individuals regardless of age, rather than individuals up to age 21. The measure takes effect on the 91st day following adjournment sine die

ISSUES DISCUSSED:

- Ability of providers to provide mental health treatment to individuals with intellectual or developmental disabilities (IDD)
- Examples of denial of and access to mental health services and treatment for individuals with IDD
- Definition of public body
- Existing federal laws prohibiting discrimination on the basis of disability in health care

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2024, the legislature enacted [Senate Bill 1557](#), which directed the Oregon Health Authority (OHA) to guarantee access to mental health services to eligible youth up to age 21 under the Community First Choice option for the state Medicaid plan, commonly known as the "K Plan." The bill mandated systemic integration between OHA and the Department of Human Services (DHS) to improve the availability of services to youth involved in multiple systems of care, including the child welfare, developmental disabilities, juvenile justice, and special education systems.

SB 1557 (2024) also prohibited OHA, education providers, and other specified health care providers, practitioners, and organizations from denying an individual under the age of 21 access to mental health assessment, treatment, or services on the basis that the individual had an intellectual or developmental disability. The bill directed OHA, DHS, the Department of Education, the Oregon Medical Board, and other health licensing agencies that license or certify mental or behavioral health providers to adopt rules to carry out the prohibition. Discrimination by public entities on the basis of disability in health care is prohibited by federal law, including Title II of the Americans with Disabilities Act and Section 1557 of the Patient Protection and Affordable Care Act.