

A-Engrossed Senate Bill 1197

Ordered by the Senate April 18
Including Senate Amendments dated April 18

Sponsored by Senator REYNOLDS (at the request of System of Care Advisory Council)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act requires the state Medicaid program to provide respite care. (Flesch Readability Score: 64.9).

[Digest: The Act tells OHA to create a respite care program for unpaid caregivers of children and youth with complex mental health needs. (Flesch Readability Score: 61.4).]

Requires respite care services to be provided through the state medical assistance program to provide relief to *[unpaid caregivers of individuals under the age of 26 who have complex mental health or substance use-related needs]* **children or youth under the age of 26 who have complex behavioral health needs or an intellectual or developmental disability and to the caregivers of such children or youth.**

Directs the Oregon Health Authority to seek any necessary federal approval. Becomes operative on the date that notice of federal approval is received.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to respite care; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) **As used in this section:**

(a) **"Child or youth" means an individual who is less than 26 years of age and has:**

(A) **Complex behavioral health needs; or**

(B) **An intellectual or developmental disability.**

(b) **"Respite care" means planned or emergency short-term care for a child or youth to provide short-term relief to the child or youth or to the caregivers of the child or youth.**

(2) **Respite care services shall be provided through the state medical assistance program to provide relief to:**

(a) **Caregivers of children or youth; and**

(b) **Children or youth.**

(3)(a) **Except as provided in paragraph (b) of this subsection, respite care services shall be provided in home-based settings.**

(b) **Respite care services may be provided in out-of-home settings for children or youth with higher acuity.**

(4) **The Oregon Health Authority shall support the development and maintenance of respite care services using any available funding mechanisms and other resources.**

(5) **The authority shall ensure that sufficient agency staff resources are allocated to:**

(a) **Seek any federal approval that is necessary to carry out the provisions of this section;**

and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Provide adequate access to respite care services throughout this state in coordination**
2 **with community partners.**

3 **SECTION 2. (1) No later than January 1, 2026, the Oregon Health Authority shall seek**
4 **any federal approval that is necessary to carry out the provisions of section 1 of this 2025**
5 **Act.**

6 **(2) The authority shall notify the Legislative Counsel immediately upon receipt of the**
7 **approval or denial of the request under subsection (1) of this section.**

8 **SECTION 3. (1) Section 1 of this 2025 Act becomes operative on the date on which the**
9 **Legislative Counsel receives notice of the federal approval as provided under section 2 of this**
10 **2025 Act.**

11 **(2) The Oregon Health Authority may take any action before the operative date specified**
12 **in subsection (1) of this section that is necessary for the authority to exercise, on and after**
13 **the operative date specified in subsection (1) of this section, all of the powers, duties and**
14 **functions conferred on the authority by section 1 of this 2025 Act.**

15 **SECTION 4. This 2025 Act takes effect on the 91st day after the date on which the 2025**
16 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**