

Enrolled Senate Bill 729

Sponsored by Senator GELSER BLOUIN; Senators HAYDEN, PATTERSON, REYNOLDS, Representatives ANDERSEN, NELSON, PHAM H, TRAN (Presession filed.)

CHAPTER

AN ACT

Relating to mental health services for individuals with disabilities; amending section 5, chapter 96, Oregon Laws 2024; and prescribing an effective date.

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

SECTION 1. Section 5, chapter 96, Oregon Laws 2024, is amended to read:

Sec. 5. (1) *[The Oregon Health Authority]* **A public body, as defined in ORS 174.109**, a community mental health program, a licensed medical provider or other certified or licensed practitioner, an education provider or a coordinated care organization may not deny any individual *[under the age of 21 years]* access to mental health assessment, treatment or services on the basis that the individual also has an intellectual or developmental disability.

(2) The **Oregon Health** Authority, the Department of Human Services, the Department of Education, the Oregon Medical Board and other health licensing agencies that license or certify mental or behavioral health providers shall adopt rules to carry out the provisions of this section.

[(3)(a)] **(3)** As used in this section, “education provider” means:

[(A)] **(a)** A school district, as defined in ORS 332.002;

[(B)] **(b)** The Oregon School for the Deaf;

[(C)] **(c)** An educational program under the Youth Corrections Education Program;

[(D)] **(d)** A public charter school, as defined in ORS 338.005;

[(E)] **(e)** An education service district, as defined in ORS 334.003;

[(F)] **(f)** An approved recovery school, as defined in ORS 336.680; or

[(G)] **(g)** Any state-operated program that provides educational services to students.

[(b) “Education provider” does not include:]

[(A) The Oregon Youth Authority;]

[(B) The Department of Corrections; or]

[(C) The Department of Education, except when functioning as an education provider on behalf of the Oregon School for the Deaf.]

SECTION 2. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by Senate February 27, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 3, 2025

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Julie Fahey, Speaker of House

Received by Governor:

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Approved:

.....M,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2025

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Tobias Read, Secretary of State