



February 11, 2025

TO: Chair Patterson, members of the Senate Committee On Health Care
FROM: Association of Oregon Counties Legislative Affairs Manager, Jessica Pratt
RE: Fiscal and operational impacts of Senate Bill 140 on the local behavioral health safety net

Dear Chair Patterson and members of the committee,

On behalf of the Association of Oregon Counties, representing Oregon's county governments, I am writing grave concerns about the fiscal and operational impacts of Senate Bill 140 on the local behavioral health safety net.

County boards of commissioners are the Local Mental Health Authority, with the duty to administer Oregon's mental health policies and provide oversight and accountability for our state-county shared services.

Counties partner with the Oregon Health Authority to provide behavioral health services and supports that help our communities thrive and reduce avoidable hospital stays and encounters with law enforcement and the courts.

There are a number of important questions and concerns raised by our community mental health program directors that need to be addressed before SB 140 could be operationalized, and I will highlight three of them from the perspective of the local mental health authority:

One, an actuarial cost study confirmed in December that Oregon's community mental health programs are already operating with a 65 million biennial funding gap to provide their mandated civil commitment, crisis response and aid and

assist restoration services. SB 140 would assign additional responsibilities and costs to these programs with no funding to pay for them.

Two, there are significant efforts underway with state and local partners to bring needed definition and clarity to system partner roles for behavioral health. As written, SB 140 further muddles the roles and responsibilities of CCOs, CMHPs and OHA for patient assignments and decision-making authority. Clarity of roles and responsibilities is essential to achieve the process and outcome improvements this bill seems to aim for.

And three, coordinating and reimbursing secure transport is a broader system challenge that needs to be carefully addressed with key system partners, including local government and law enforcement, who have valid concerns about liability due to conflicting state statutes relating to use of force.

While hospitals should be adequately reimbursed for the care provided to individuals served in psychiatric units, increased payment to hospitals does not address capacity issues in the system and this bill creates additional administrative burden for system partners. The Association of Oregon Counties asks for your support in safeguarding the local behavioral health safety net and we thank you for partnering with counties to serve all of Oregon.

Jessica Pratt
Legislative Affairs Manager
Association of Oregon Counties