

HB 4115 A STAFF MEASURE SUMMARY

House Committee On Behavioral Health

Action Date: 02/12/26

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 8-0-0-0

Yeas: 8 - Edwards, Harbick, Isadore, Javadi, Mannix, Nosse, Pham H, Valderrama

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Brian Nieubuurt, LPRO Analyst

Meeting Dates: 2/3, 2/12

WHAT THE MEASURE DOES:

The measure modifies or imposes new requirements related to the use and applicability of criminal records checks for specified caregivers and behavioral health providers. The measure takes effect on 91st day following adjournment sine die.

Detailed Summary:

- Extends the period for which background checks performed by the Oregon Department of Human Services (ODHS) and the Oregon Health Authority (OHA) for specified caregivers from 18 months to three years; prohibits ODHS or OHA from requiring a new criminal records check solely because the individual is changing employer or care setting; and requires ODHS and OHA to notify caregiver facilities and organizations within 90 days of the measure's effective date of the new records check validity length
- Requires OHA to communicate to behavioral health providers and agencies the processes for updating contact information and circumstances requiring a new background check
- Requires coordinated care organizations (CCOs) to reimburse behavioral health providers back to the provider's medical assistance program enrollment application date, and prohibits CCOs from requiring a new credentialing application based solely on the provider's change of employer

ISSUES DISCUSSED:

- Current delays and administrative burden for background checks
- Lack of background check portability in Oregon

EFFECT OF AMENDMENT:

The amendment excludes facilities located on the Oregon State Hospital campus or otherwise operated by the state from the definition of "residential facility." It also clarifies the circumstances requiring CCOs' retroactive reimbursement of providers.

BACKGROUND:

Background checks are a commonly used tool for screening individuals for certain employment opportunities, such as those working with youth or other vulnerable populations. Certain governmental agencies are authorized to request that the Oregon State Police conduct a criminal records check on "subject individuals" seeking employment providing specified services, including care or placement services for children, the elderly, and disabled individuals (see Oregon Revised Statute 181A.190). ODHS is required to use criminal records information to determine an individual's fitness to work as an employee, contractor, or volunteer.