

# Senate Bill 842

Sponsored by Senators COURTNEY, WINTERS; Senators CARTER, FERRIOLI, L GEORGE, GORDLY, MORRISETTE, Representatives BERGER, CAMERON, CLEM, KOMP (at the request of Blue Ribbon Task Force on Methamphetamine)

## 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 **as introduced**.

Amends definition of "person with a serious mental illness." Requires Department of Human Services to suspend medical assistance to persons receiving treatment for substance abuse.

## A BILL FOR AN ACT

1  
2 Relating to medical assistance; amending ORS 414.424.

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

4 **SECTION 1.** ORS 414.424 is amended to read:

5 414.424. (1) As used in this section:

6 (a) "Person with a serious **persistent** mental illness" means a person who is diagnosed by a  
7 psychiatrist, a licensed clinical psychologist or a certified nonmedical examiner as suffering from  
8 dementia, schizophrenia, bipolar disorder, major depression or other affective disorder or psychotic  
9 mental disorder [*other than a disorder caused primarily by substance abuse*].

10 (b) "Public institution" means:

11 (A) A state hospital as defined in ORS 162.135;

12 (B) A local correctional facility as defined in ORS 169.005;

13 (C) A Department of Corrections institution as defined in ORS 421.005; or

14 (D) A youth correction facility as defined in ORS 162.135.

15 (2) Except as provided in subsection (6) of this section, the Department of Human Services shall  
16 suspend the medical assistance of a person [*with a serious mental illness when:*]

17 [*(a) The person*] **who** receives medical assistance because of a serious **persistent** mental  
18 illness[; *and*] **or substance abuse when:**

19 [*(b)*] (a) The person becomes an inmate residing in a public institution[.]; **or**

20 (b) **The person receives treatment for substance abuse.**

21 (3) The department shall continue to determine the eligibility of the person as categorically  
22 needy as defined in ORS 414.025.

23 (4) Upon notification that a person described in subsection (2) of this section is no longer an  
24 inmate residing in a public institution **or has finished a course of substance abuse treatment**,  
25 the department shall reinstate the person's medical assistance if the person is otherwise eligible for  
26 medical assistance.

27 (5) This section does not extend eligibility to an otherwise ineligible person or extend medical  
28 assistance to a person if matching federal funds are not available to pay for medical assistance.

29 (6) Subsection (2) of this section does not apply to a person with a serious **persistent** mental  
30 illness residing in a state hospital as defined in ORS 162.135 who is under 22 years of age or who

**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 is 65 years of age or older.

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