

Senate Bill 368

Sponsored by Senator MORRISETTE

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**.

Establishes Office of Consumer Affairs in Department of Human Services to promote consumer-directed mental health services.

Establishes office of Ombudsman for Mental Health Consumers in department to provide services to consumers of mental health or addiction services.

Appropriates moneys from General Fund to department for purposes of Act.

A BILL FOR AN ACT

1
2 Relating to mental health services; creating new provisions; amending ORS 430.073 and 430.078; and
3 appropriating money.

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

5 **SECTION 1. (1) The Director of Human Services shall establish within the Department**
6 **of Human Services the Office of Consumer Affairs to facilitate, promote, monitor and provide**
7 **training and technical assistance to consumer groups and to promote the organization and**
8 **implementation of consumer-directed mental health services and consumer representation.**

9 **(2) In addition to the duties described in subsection (1) of this section, the Office of**
10 **Consumer Affairs shall:**

11 **(a) Provide networking and technical assistance to and regional coordination of infor-**
12 **mation among consumer groups, mental health programs and government agencies;**

13 **(b) For publicly funded mental health programs, provide quality assurance and technical**
14 **assistance oversight with respect to the persons receiving the services;**

15 **(c) Evaluate the efficacy of, supporting evidence for and desirability of available mental**
16 **health services with respect to the persons receiving the services;**

17 **(d) Monitor the delivery of peer services and peer credentialed services and evaluate the**
18 **impact, relevance and efficiency of the delivery of evidence-based services in peer delivery**
19 **settings;**

20 **(e) Evaluate and report to the director regarding the impact and efficiency of the de-**
21 **partment's budget with respect to the delivery of peer services and consumer choice;**

22 **(f) Evaluate and report to the director regarding the effect of statutory provisions on the**
23 **availability of consumer-directed mental health services and on decreasing the social stigma**
24 **that may be experienced by consumers; and**

25 **(g) Perform other duties as the director considers necessary.**

26 **SECTION 2. (1) The Department of Human Services shall provide administrative and**
27 **technical support to the Office of Consumer Affairs for purposes of evaluating and imple-**
28 **menting peer-operated, evidence-based, clinical and nonclinical services provided as**
29 **consumer-directed mental health services.**

30 **(2) The Office of Consumer Affairs shall provide oversight and assistance to the peer-**

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 operated and evidence-based services where applicable.

2 **SECTION 3.** (1) The office of Ombudsman for Mental Health Consumers is established in
 3 the Department of Human Services. With the concurrence of the Governor and subject to
 4 the availability of funds, the Director of Human Services shall appoint the ombudsman and
 5 may terminate the ombudsman. The person appointed as ombudsman shall:

6 (a) Have experience receiving mental health services, as a consumer or as the parent of
 7 a consumer who is under 18 years of age;

8 (b) Demonstrate through prior experience a commitment to the principles of self-
 9 determination, recovery and the resiliency of consumers; and

10 (c) Meet other criteria as determined by the Office of Consumer Affairs established under
 11 section 1 of this 2009 Act, the Consumer Advisory Council established under ORS 430.073 and
 12 the Governor.

13 (2) The ombudsman shall:

14 (a) Provide information and assistance to consumers; and

15 (b) Report to the Governor in writing at least once each quarter as required under ORS
 16 182.500. The report shall include a summary of the services the ombudsman provided during
 17 the quarter and the ombudsman’s recommendations for improving ombudsman services.

18 **SECTION 4.** ORS 430.073 is amended to read:

19 430.073. (1) As used in this section, [and] ORS 430.075[,] and sections 1 to 3 of this 2009 Act,
 20 “consumer” means a person who has received or is receiving mental health or addiction services.

21 (2) The Director of Human Services shall establish a Consumer Advisory Council to advise the
 22 director on the provision of mental health services by the Department of Human Services. The
 23 council may review, evaluate and provide feedback on all site reviews related to mental health
 24 services provided by the department.

25 (3) The director shall appoint 15 to 25 consumers to the council. In making appointments, the
 26 director shall strive to balance the representation according to geographic areas of the state and
 27 age.

28 (4) The department shall provide administrative support to the council.

29 (5) Members of the council are [not] entitled to compensation [or] and reimbursement of ex-
 30 penses under ORS 292.495.

31 **SECTION 5.** ORS 430.078 is amended to read:

32 430.078. The Department of Human Services shall adopt rules to implement ORS 430.071 to
 33 430.075 and sections 1 to 3 of this 2009 Act.

34 **SECTION 6.** There is appropriated to the Department of Human Services, for the
 35 biennium beginning July 1, 2009, out of the General Fund, the amount of \$_____ for the
 36 purpose of carrying out the provisions of sections 1 to 3 of this 2009 Act.