

Senate Bill 749

Sponsored by Senator MONNES ANDERSON; Senator SCHRADER, Representatives KOTEK, RICHARDSON

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**.

Requires Department of Human Services to establish uniform standards for provision of mental health and addiction services paid for with state funds. Requires department to ensure compliance with contracts to provide mental health and addiction services. Requires department to post specified information on department's website. Requires department to utilize data reported to department by community mental health and developmental disabilities programs and prepaid managed care health services organizations to monitor and report availability of mental health and addiction services throughout state.

A BILL FOR AN ACT

1
2 Relating to mental health services; creating new provisions; and amending ORS 430.670.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Local mental health authority" has the meaning given that term in ORS 430.630**
6 **(10)(a).**

7 (b) **"Mental health and addiction services" means:**

8 (A) **Mental health and chemical dependency services described in ORS 414.705; and**

9 (B) **Treatment and rehabilitation services described in ORS 430.610 for persons with**
10 **mental or emotional disturbances, alcoholism or drug dependence or persons who are alcohol**
11 **or drug abusers.**

12 (c) **"Prepaid managed care health services organization" means an entity described in**
13 **ORS 414.725 that contracts with the Department of Human Services to provide mental health**
14 **and chemical dependency services described in ORS 414.725.**

15 (2) **The department shall establish uniform standards for the provision of mental health**
16 **and addiction services that are paid for in whole or in part by state funds. The standards**
17 **shall include:**

18 (a) **Forms required for the intake and assessment of patients;**

19 (b) **Criteria for the development of quality assurance plans by providers;**

20 (c) **Forms for record keeping by providers;**

21 (d) **Data reporting requirements for providers; and**

22 (e) **Performance measures to evaluate the quality and effectiveness of the services.**

23 (3) **The standards established under subsection (2) of this section shall be incorporated**
24 **into any contract between the department and a:**

25 (a) **Local mental health authority;**

26 (b) **Public or private entity that contracts with a county or with the department to pro-**
27 **vide any mental health and addiction services; or**

28 (c) **Prepaid managed care health services organization.**

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 **(4) The department shall ensure compliance with contract terms and conditions, includ-**
 2 **ing the standards described in subsection (2) of this section, and shall conduct regular on-site**
 3 **reviews as part of the compliance monitoring.**

4 **(5) The department shall establish a method of communicating policy decisions concern-**
 5 **ing the provision of mental health and addiction services, and the impacts of those decisions,**
 6 **to the public and stakeholders in a consistent and transparent manner, and shall post to the**
 7 **website of the department:**

8 **(a) Policy directives, administrative rules and operating guidelines;**

9 **(b) The results of on-site reviews conducted by or on behalf of the department;**

10 **(c) Contracts with counties and local mental health authorities for the provision of**
 11 **mental health and addition services, the allocations of the state funds received by counties**
 12 **and local mental health authorities and the expenditures of those funds by the counties and**
 13 **local mental health authorities; and**

14 **(d) Utilization data.**

15 **(6) The department shall monitor and report on the availability of mental health and**
 16 **addiction services throughout the state using:**

17 **(a) Data provided by community mental health and developmental disabilities programs**
 18 **pursuant to ORS 430.665; and**

19 **(b) Data and other information provided by prepaid managed care health services organ-**
 20 **izations.**

21 **SECTION 2.** ORS 430.670 is amended to read:

22 430.670. (1) A community mental health and developmental disabilities program may provide
 23 services by contracting [*therefor*] with a public agency, private corporation or individual. All ele-
 24 ments of service provided for in the contract shall be considered as a part of a community mental
 25 health program for all purposes of ORS 430.610 to 430.695. Contracts authorized by this section shall
 26 comply **with section 1 of this 2009 Act and** with rules adopted by the Department of Human Ser-
 27 vices.

28 (2) A private corporation that contracts with a county or the Department of Human Services to
 29 operate a community mental health and developmental disabilities program shall provide an oppor-
 30 tunity for competition among private care providers when awarding subcontracts for provision of
 31 services described in ORS 430.630 (1) to (3).

32 (3) In keeping with the principles of family support expressed in ORS 417.342 and
 33 notwithstanding subsection (2) of this section or ORS 291.047 (3), an entity operating a community
 34 mental health and developmental disabilities program may purchase services for an individual from
 35 a service provider without first providing an opportunity for competition among other service pro-
 36 viders if the service provider is selected by the individual, the individual's family or the individual's
 37 guardian, as long as the service provider has been approved by the department to provide such
 38 service.

39 **SECTION 3.** **Section 1 of this 2009 Act applies to contracts entered into or renewed on**
 40 **or after the effective date of this 2009 Act.**