

**Enrolled**  
**Senate Bill 423**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Department of Corrections)

CHAPTER .....

AN ACT

Relating to certification of state employees for purposes of providing mental health services to persons in custody of state; and declaring an emergency.

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

**SECTION 1.** (1) The Department of Corrections may certify employees of the department to provide mental health services to inmates in Department of Corrections institutions in accordance with standards established by the department by rule.

(2) As used in this section, "Department of Corrections institutions" has the meaning given that term in ORS 421.005.

**SECTION 2.** (1) The Oregon Youth Authority may certify employees of the authority to provide mental health services to youth offenders and other persons placed in the physical custody of the authority in accordance with standards established by the authority by rule.

(2) As used in this section, "youth offenders" has the meaning given that term in ORS 419A.004.

**SECTION 3.** The licensure, certification and practice requirements established by chapter 442, Oregon Laws 2009, do not apply to the provision of mental health services by current or former employees of:

(1) The Department of Corrections, if the mental health services are provided within the employee's scope of employment with the department on or after January 1, 2011, and before the date that is 30 days after the effective date of the rules adopted under section 1 of this 2011 Act.

(2) The Oregon Youth Authority, if the mental health services are provided within the employee's scope of employment with the authority on or after January 1, 2011, and before the date that is 30 days after the effective date of rules adopted by the authority under section 2 of this 2011 Act.

**SECTION 4.** This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

**Passed by Senate February 22, 2011**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 31, 2011**

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State