



ADDICTIONS AND MENTAL HEALTH DIVISION

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Date February 11, 2013

TO: The Honorable Senator Laurie Monnes Anderson
Senate Health Care and Human Services Committee

FROM: Karen Wheeler, MA, Administrator
Oregon Health Authority
Addictions and Mental Health Division
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SUBJECT: SB 101

Chair Monnes Anderson and members of the committee, I am Karen Wheeler, Administrator for the Oregon Health Authority (OHA), Addictions and Mental Health Division (AMH). I am here to provide testimony in support of SB 101 which would change two provisions of the Health Professionals Services Program.

By action of the 2009 Oregon Legislature (House Bill 2345), OHA contracted with Reliant Behavioral Health to develop and implement a new consolidated, statewide confidential monitoring program for health professional licensees who are unable to practice with professional skill and safety due to a substance use disorder, a mental health disorder, or both types of disorders. Four health profession regulatory boards currently participate in HPSP: Board of Dentistry, Board of Nursing, Board of Pharmacy and Oregon Medical Board.

Current statute requires the program to assess the ability of an enrolled licensee's employer to establish minimum training requirements for supervisors of the licensee. This is problematic as the statute does not define the minimum training requirements or include a mechanism for enforcing this requirement. This bill eliminates language requiring the program to assess minimum training requirements established by an

employer and retain the program's focus on assessing the employer's ability to adequately supervise enrolled licensees.

The bill also eliminates the requirement for the HPSP to report a licensee to their board as substantially noncompliant with their monitoring agreement when the licensee has been admitted to a hospital for mental illness or has been adjudged to be mentally incompetent. Currently, statute as written penalizes licensees with mental illnesses who fall into these two categories, potentially deterring a person from seeking medical treatment for a serious condition. If this amendment is enacted, the HPSP will no longer be required to penalize licensees in the form of a substantial non-compliance report to their board.

Changes to the statute as indicated in this bill will help clarify the duties of employers who hire licensees participating in the HPSP and remove an unenforceable requirement. In addition, the proposed amendment changes the policy direction and impact on those licensees who seek hospitalization for a mental illness.

I appreciate the opportunity to share this information with you and would be happy to provide additional information you need as you consider this bill.