

HOUSE AMENDMENTS TO HOUSE BILL 2087

By COMMITTEE ON HEALTH CARE

April 18

1 In line 2 of the printed bill, after the semicolon insert “amending ORS 414.440 and 419C.550;”.
2 Delete lines 4 through 8 and insert:

3 “**SECTION 1.** ORS 414.440 is amended to read:

4 “414.440. (1) **As used in this section, ‘correctional facility’ means:**

5 “(a) **A local correctional facility as defined in ORS 169.005;**

6 “(b) **A Department of Corrections institution as defined in ORS 421.005; or**

7 “(c) **A youth correction facility as defined in ORS 162.135.**

8 “[*(1)*] (2) The Department of Human Services or the Oregon Health Authority shall suspend,
9 instead of terminate, the medical assistance of a person who [*becomes an inmate of a local*] **is re-**
10 **sid****ing in a** correctional facility[, *as defined in ORS 169.005,*] and who is expected to remain in the
11 [*local*] correctional facility for no more than 12 months.

12 “[*(2)*] (3) Upon notification that a person described in subsection [*(1)*] (2) of this section is [*no*
13 *longer an inmate*] **not** residing in a [*local*] correctional facility, the department or the authority shall
14 reinstate the person’s medical assistance if the person is eligible for medical assistance.

15 “(4)(a) **A designee of a correctional facility may apply for medical assistance on behalf**
16 **of a person, while the person is residing in the correctional facility, for the purpose of es-**
17 **tablishing eligibility for medical assistance during a period of hospitalization that will occur**
18 **outside of the correctional facility.**

19 “(b) **The designee may obtain information necessary to determine eligibility for medical**
20 **assistance, including the person’s Social Security number or information that is not other-**
21 **wise subject to disclosure under ORS 411.320 or 413.175. The information obtained under this**
22 **paragraph may be used only for the purpose of assisting the person in applying for medical**
23 **assistance and may not be redisclosed without the person’s authorization.**

24 “(c) **If the person is determined eligible for medical assistance, the effective date of the**
25 **person’s medical assistance shall be the date the person begins the period of hospitalization**
26 **outside of the correctional facility.**

27 “[*(3)*] (5) This section does not extend eligibility to an otherwise ineligible person or extend
28 medical assistance to a person if matching federal funds are not available to pay for the medical
29 assistance.

30 “**SECTION 2.** ORS 419C.550 is amended to read:

31 “419C.550. A person, agency or institution having legal custody of a youth or youth offender has
32 the following duties and authority:

33 “(1) To have physical custody and control of the youth or youth offender.

34 “(2) To supply the youth or youth offender with food, clothing, shelter and incidental neces-
35 saries.

1 “(3) To provide the youth or youth offender with care, education and discipline.

2 “(4) To authorize ordinary medical, dental, psychiatric, psychological, hygienic or other remedial
3 care and treatment for the youth or youth offender, and, in an emergency when the youth or youth
4 offender’s safety appears urgently to require it, to authorize surgery or other extraordinary care.

5 “(5) To make such reports and to supply such information to the court as the court may from
6 time to time require.

7 “(6) To apply for any Social Security benefits, [*or*] public assistance **or medical assistance** to
8 which the youth or youth offender is otherwise entitled and to use the benefits or assistance to
9 [*pay*] **provide** for the care of the youth or youth offender.

10 **“(7) To obtain and disclose information necessary to apply for Social Security benefits,
11 public assistance or medical assistance on behalf of the youth or youth offender including the
12 youth or youth offender’s Social Security number or information that is not otherwise sub-
13 ject to disclosure under ORS 411.320 or 413.175. Information obtained under this subsection
14 may be used only for the purpose of applying for Social Security benefits, public assistance
15 or medical assistance on behalf of the youth or youth offender.”.**

16 In line 9, delete “2” and insert “3”.

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