

**A-Engrossed**  
**House Bill 3090**

Ordered by the House April 21  
Including House Amendments dated April 21

Sponsored by Representative KENY-GUYER, Senator GELSER, Representatives GREENLICK, BUEHLER; Representatives FAHEY, HACK, HAYDEN, KOTEK, MALSTROM, MARSH, MCLAIN, NOSSE, Senators BOQUIST, FREDERICK, STEINER HAYWARD

**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.

Requires hospital to [*apply discharge policy for release of patients admitted to hospital for mental health treatment to*], **adopt policy for** release of patients from emergency department following treatment for behavioral health crisis. **Requires hospitals to report and Oregon Health Authority to compile information about policies adopted. Requires authority to report to Legislative Assembly no later than January 1, 2018.**

**Takes effect on 91st day following adjournment sine die.**

**A BILL FOR AN ACT**

1  
2 Relating to hospital discharge procedures; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 441.015 to**  
5 **441.063.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Behavioral health crisis" means a disruption in an individual's mental or emotional**  
8 **stability or functioning resulting in an urgent need for immediate treatment to prevent a**  
9 **serious deterioration in the individual's mental or physical health.**

10 (b) **"Lethal means counseling" means counseling strategies designed to reduce the access**  
11 **by a patient who is at risk for suicide to lethal means, including but not limited to firearms.**

12 (c) **"Suicide prevention measures" may include, but are not limited to:**

13 (A) **Lethal means counseling; and**

14 (B) **Providing information about a suicide intervention hotline.**

15 (2) **A hospital with an emergency department shall adopt and implement policies for the**  
16 **release from the hospital's emergency department of a patient presenting with a behavioral**  
17 **health crisis including suicide prevention measures, if any, that must be taken. At a mini-**  
18 **imum, the policies must meet the requirements in ORS 441.196 for hospital policies regarding**  
19 **the discharge of a patient who is admitted for mental health treatment.**

20 **SECTION 3. (1) Hospitals shall provide to the Oregon Health Authority information, in**  
21 **the form and manner prescribed by the authority, about the adoption and implementation**  
22 **of policies in accordance with section 2 of this 2017 Act.**

23 (2) **The authority shall compile the information submitted by hospitals and, no later than**  
24 **January 1, 2018, report to the interim committees of the Legislative Assembly related to**  
25 **health on the policies, progress on and barriers to implementing the policies and recom-**

**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 **mendations for legislative changes necessary to improve the behavioral health outcomes for**  
2 **individuals who are released from an emergency department following treatment for a be-**  
3 **havioral health crisis.**

4 **SECTION 4. This 2017 Act takes effect on the 91st day after the date on which the 2017**  
5 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

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