

Requested by Representative BUEHLER

**PROPOSED AMENDMENTS TO
HOUSE BILL 4018**

1 On page 1 of the printed bill, line 2, after “ORS” insert “414.025 and”.

2 In line 5, delete “Section 2” and insert “Sections 2 and 3” and delete
3 “is” and insert “are”.

4 After line 7, insert:

5 **“SECTION 3. The Oregon Health Authority shall collaborate with**
6 **coordinated care organizations to develop specific requirements for a**
7 **coordinated care organization’s annual investments in the social de-**
8 **terminants of health of its members. The requirements must be con-**
9 **sistent with the requirements contained in the terms and conditions**
10 **of the demonstration project approved by the Centers for Medicare and**
11 **Medicaid Services regarding:**

12 **“(1) The incorporation of costs of health-related services into the**
13 **development of the global budget for each coordinated care organiza-**
14 **tion; and**

15 **“(2) The treatment of health-related services in the calculation of**
16 **a coordinated care organization’s medical loss ratio and the reinvest-**
17 **ment that is triggered by a coordinated care organization’s medical**
18 **loss ratio.”.**

19 In line 8, delete “3” and insert “4”.

20 In line 27, after “Expend” delete the rest of the line and line 28 and insert
21 “one percent of the coordinated care organization’s global budget on invest-

1 ments in the social determinants of health in accordance with section 3 of
2 this 2018 Act.”.

3 On page 2, delete lines 1 through 4.

4 In line 5, delete “spending” and insert “spend”.

5 On page 4, line 9, delete “4” and insert “5”.

6 In line 29, after “Expend” delete the rest the line and lines 30 through
7 34 and insert “one percent of the coordinated care organization’s global
8 budget on investments in the social determinants of health in accordance
9 with section 3 of this 2018 Act.”.

10 In line 35, delete “spending” and insert “spend”.

11 On page 6, after line 38, insert:

12 **“SECTION 6.** ORS 414.025 is amended to read:

13 “414.025. As used in this chapter and ORS chapters 411 and 413, unless
14 the context or a specially applicable statutory definition requires otherwise:

15 “(1)(a) ‘Alternative payment methodology’ means a payment other than a
16 fee-for-services payment, used by coordinated care organizations as compen-
17 sation for the provision of integrated and coordinated health care and ser-
18 vices.

19 “(b) ‘Alternative payment methodology’ includes, but is not limited to:

20 “(A) Shared savings arrangements;

21 “(B) Bundled payments; and

22 “(C) Payments based on episodes.

23 “(2) ‘Behavioral health assessment’ means an evaluation by a behavioral
24 health clinician, in person or using telemedicine, to determine a patient’s
25 need for immediate crisis stabilization.

26 “(3) ‘Behavioral health clinician’ means:

27 “(a) A licensed psychiatrist;

28 “(b) A licensed psychologist;

29 “(c) A certified nurse practitioner with a specialty in psychiatric mental
30 health;

1 “(d) A licensed clinical social worker;

2 “(e) A licensed professional counselor or licensed marriage and family
3 therapist;

4 “(f) A certified clinical social work associate;

5 “(g) An intern or resident who is working under a board-approved super-
6 visory contract in a clinical mental health field; or

7 “(h) Any other clinician whose authorized scope of practice includes
8 mental health diagnosis and treatment.

9 “(4) ‘Behavioral health crisis’ means a disruption in an individual’s men-
10 tal or emotional stability or functioning resulting in an urgent need for im-
11 mediate outpatient treatment in an emergency department or admission to
12 a hospital to prevent a serious deterioration in the individual’s mental or
13 physical health.

14 “(5) ‘Behavioral health home’ means a mental health disorder or sub-
15 stance use disorder treatment organization, as defined by the Oregon Health
16 Authority by rule, that provides integrated health care to individuals whose
17 primary diagnoses are mental health disorders or substance use disorders.

18 “(6) ‘Category of aid’ means assistance provided by the Oregon Supple-
19 mental Income Program, aid granted under ORS 411.877 to 411.896 and
20 412.001 to 412.069 or federal Supplemental Security Income payments.

21 “(7) ‘Community health worker’ means an individual who meets quali-
22 fication criteria adopted by the authority under ORS 414.665 and who:

23 “(a) Has expertise or experience in public health;

24 “(b) Works in an urban or rural community, either for pay or as a vol-
25 unteer in association with a local health care system;

26 “(c) To the extent practicable, shares ethnicity, language, socioeconomic
27 status and life experiences with the residents of the community where the
28 worker serves;

29 “(d) Assists members of the community to improve their health and in-
30 creases the capacity of the community to meet the health care needs of its

1 residents and achieve wellness;

2 “(e) Provides health education and information that is culturally appro-
3 priate to the individuals being served;

4 “(f) Assists community residents in receiving the care they need;

5 “(g) May give peer counseling and guidance on health behaviors; and

6 “(h) May provide direct services such as first aid or blood pressure
7 screening.

8 “(8) ‘Coordinated care organization’ means an organization meeting cri-
9 teria adopted by the Oregon Health Authority under ORS 414.625.

10 “(9) ‘Dually eligible for Medicare and Medicaid’ means, with respect to
11 eligibility for enrollment in a coordinated care organization, that an indi-
12 vidual is eligible for health services funded by Title XIX of the Social Se-
13 curity Act and is:

14 “(a) Eligible for or enrolled in Part A of Title XVIII of the Social Security
15 Act; or

16 “(b) Enrolled in Part B of Title XVIII of the Social Security Act.

17 “(10)(a) ‘Family support specialist’ means an individual who meets quali-
18 fication criteria adopted by the authority under ORS 414.665 and who pro-
19 vides supportive services to and has experience parenting a child who:

20 “(A) Is a current or former consumer of mental health or addiction
21 treatment; or

22 “(B) Is facing or has faced difficulties in accessing education, health and
23 wellness services due to a mental health or behavioral health barrier.

24 “(b) A ‘family support specialist’ may be a peer wellness specialist or a
25 peer support specialist.

26 “(11) ‘Global budget’ means a total amount established prospectively by
27 the Oregon Health Authority to be paid to a coordinated care organization
28 for the delivery of, management of, access to and quality of the health care
29 delivered to members of the coordinated care organization.

30 “(12) ‘Health insurance exchange’ or ‘exchange’ means an American

1 Health Benefit Exchange described in 42 U.S.C. 18031, 18032, 18033 and 18041.

2 “(13) ‘Health services’ means at least so much of each of the following
3 as are funded by the Legislative Assembly based upon the prioritized list of
4 health services compiled by the Health Evidence Review Commission under
5 ORS 414.690:

6 “(a) Services required by federal law to be included in the state’s medical
7 assistance program in order for the program to qualify for federal funds;

8 “(b) Services provided by a physician as defined in ORS 677.010, a nurse
9 practitioner certified under ORS 678.375, a behavioral health clinician or
10 other licensed practitioner within the scope of the practitioner’s practice as
11 defined by state law, and ambulance services;

12 “(c) Prescription drugs;

13 “(d) Laboratory and X-ray services;

14 “(e) Medical equipment and supplies;

15 “(f) Mental health services;

16 “(g) Chemical dependency services;

17 “(h) Emergency dental services;

18 “(i) Nonemergency dental services;

19 “(j) Provider services, other than services described in paragraphs (a) to
20 (i), (k), (L) and (m) of this subsection, defined by federal law that may be
21 included in the state’s medical assistance program;

22 “(k) Emergency hospital services;

23 “(L) Outpatient hospital services; and

24 “(m) Inpatient hospital services.

25 “(14) ‘Income’ has the meaning given that term in ORS 411.704.

26 “(15)(a) ‘Integrated health care’ means care provided to individuals and
27 their families in a patient centered primary care home or behavioral health
28 home by licensed primary care clinicians, behavioral health clinicians and
29 other care team members, working together to address one or more of the
30 following:

1 “(A) Mental illness.

2 “(B) Substance use disorders.

3 “(C) Health behaviors that contribute to chronic illness.

4 “(D) Life stressors and crises.

5 “(E) Developmental risks and conditions.

6 “(F) Stress-related physical symptoms.

7 “(G) Preventive care.

8 “(H) Ineffective patterns of health care utilization.

9 “(b) As used in this subsection, ‘other care team members’ includes but
10 is not limited to:

11 “(A) Qualified mental health professionals or qualified mental health as-
12 sociates meeting requirements adopted by the Oregon Health Authority by
13 rule;

14 “(B) Peer wellness specialists;

15 “(C) Peer support specialists;

16 “(D) Community health workers who have completed a state-certified
17 training program;

18 “(E) Personal health navigators; or

19 “(F) Other qualified individuals approved by the Oregon Health Author-
20 ity.

21 “(16) ‘Investments and savings’ means cash, securities as defined in ORS
22 59.015, negotiable instruments as defined in ORS 73.0104 and such similar
23 investments or savings as the department or the authority may establish by
24 rule that are available to the applicant or recipient to contribute toward
25 meeting the needs of the applicant or recipient.

26 “(17) ‘Medical assistance’ means so much of the medical, mental health,
27 preventive, supportive, palliative and remedial care and services as may be
28 prescribed by the authority according to the standards established pursuant
29 to ORS 414.065, including premium assistance and payments made for ser-
30 vices provided under an insurance or other contractual arrangement and

1 money paid directly to the recipient for the purchase of health services and
2 for services described in ORS 414.710.

3 “(18) ‘Medical assistance’ includes any care or services for any individual
4 who is a patient in a medical institution or any care or services for any in-
5 dividual who has attained 65 years of age or is under 22 years of age, and
6 who is a patient in a private or public institution for mental diseases. Except
7 as provided in ORS 411.439 and 411.447, ‘medical assistance’ does not include
8 care or services for a resident of a nonmedical public institution.

9 “(19) ‘Patient centered primary care home’ means a health care team or
10 clinic that is organized in accordance with the standards established by the
11 Oregon Health Authority under ORS 414.655 and that incorporates the fol-
12 lowing core attributes:

13 “(a) Access to care;

14 “(b) Accountability to consumers and to the community;

15 “(c) Comprehensive whole person care;

16 “(d) Continuity of care;

17 “(e) Coordination and integration of care; and

18 “(f) Person and family centered care.

19 “(20) ‘Peer support specialist’ means any of the following individuals who
20 meet qualification criteria adopted by the authority under ORS 414.665 and
21 who provide supportive services to a current or former consumer of mental
22 health or addiction treatment:

23 “(a) An individual who is a current or former consumer of mental health
24 treatment; or

25 “(b) An individual who is in recovery, as defined by the Oregon Health
26 Authority by rule, from an addiction disorder.

27 “(21) ‘Peer wellness specialist’ means an individual who meets qualifica-
28 tion criteria adopted by the authority under ORS 414.665 and who is re-
29 sponsible for assessing mental health and substance use disorder service and
30 support needs of a member of a coordinated care organization through com-

1 munity outreach, assisting members with access to available services and
2 resources, addressing barriers to services and providing education and in-
3 formation about available resources for individuals with mental health or
4 substance use disorders in order to reduce stigma and discrimination toward
5 consumers of mental health and substance use disorder services and to assist
6 the member in creating and maintaining recovery, health and wellness.

7 “(22) ‘Person centered care’ means care that:

8 “(a) Reflects the individual patient’s strengths and preferences;

9 “(b) Reflects the clinical needs of the patient as identified through an
10 individualized assessment; and

11 “(c) Is based upon the patient’s goals and will assist the patient in
12 achieving the goals.

13 “(23) ‘Personal health navigator’ means an individual who meets quali-
14 fication criteria adopted by the authority under ORS 414.665 and who pro-
15 vides information, assistance, tools and support to enable a patient to make
16 the best health care decisions in the patient’s particular circumstances and
17 in light of the patient’s needs, lifestyle, combination of conditions and de-
18 sired outcomes.

19 “(24) ‘Prepaid managed care health services organization’ means a man-
20 aged dental care, mental health or chemical dependency organization that
21 contracts with the authority under ORS 414.654 or with a coordinated care
22 organization on a prepaid capitated basis to provide health services to med-
23 ical assistance recipients.

24 “(25) ‘Quality measure’ means the health outcome and quality measures
25 and benchmarks identified by the Health Plan Quality Metrics Committee
26 and the metrics and scoring subcommittee in accordance with ORS 413.017
27 (4) and 414.638.

28 “(26) ‘Resources’ has the meaning given that term in ORS 411.704. For
29 eligibility purposes, ‘resources’ does not include charitable contributions
30 raised by a community to assist with medical expenses.

1 **“(27) ‘Social determinants of health’ means the conditions into**
2 **which individuals are born and in which individuals grow, live, work**
3 **and age, including but not limited to:**

4 **“(a) Housing;**

5 **“(b) Education;**

6 **“(c) Criminal justice;**

7 **“(d) Employment opportunities;**

8 **“(e) Neighborhood environment; and**

9 **“(f) Transportation.**

10 **“[(27)(a)] (28)(a) ‘Youth support specialist’ means an individual who meets**
11 **qualification criteria adopted by the authority under ORS 414.665 and who,**
12 **based on a similar life experience, provides supportive services to an indi-**
13 **vidual who:**

14 **“(A) Is not older than 30 years of age; and**

15 **“(B)(i) Is a current or former consumer of mental health or addiction**
16 **treatment; or**

17 **“(ii) Is facing or has faced difficulties in accessing education, health and**
18 **wellness services due to a mental health or behavioral health barrier.**

19 **“(b) A ‘youth support specialist’ may be a peer wellness specialist or a**
20 **peer support specialist.”.**

21 **In line 39, delete “5” and insert “7”.**

22
