

## **SB 299 -1 STAFF MEASURE SUMMARY**

### **Senate Committee On Judiciary**

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**Prepared By:** Addie Smith, Counsel

**Meeting Dates:** 3/21, 4/4

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#### **WHAT THE MEASURE DOES:**

Prohibits the denial of medical assistance, as defined by ORS 414.025, to a minor in detention pending adjudication. Requires Oregon Health Authority to seek federal approval for Medicaid to support the costs of providing medical assistance to minors in detention pending adjudication.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Replaces measure. Provides health care coverage under the Cover All Oregon Children program established in ORS 414.231 for youth in juvenile detention facilities awaiting adjudication. Requires Oregon Health Authority to seek federal approval for Medicaid to support the costs of providing medical assistance to minors in detention pending adjudication. Directs the Oregon Health Authority to collaborate with county juvenile department directors, the Department of Human Services, and the Oregon Youth authority to study the need to provide health assistance to youth held in detention facilities prior to adjudication.

##### **BACKGROUND:**

In 2018, 3,612 minors were placed in detention pre-adjudication. The average length of stay for pre-adjudication non-Ballot Measure 11 youth was 10.5 days, for Ballot measure 11 youth, that number was 99.1 days. Federal law prohibits the use of federal Medicaid moneys to fund health or mental health services for detained youth awaiting adjudication. In Oregon, when a youth is placed in detention their Medicaid benefits are suspended.

For the purposes of health care provision and billing in Oregon, ORS 414.025 defines "Medical assistance" to mean "so much of the medical, mental health, preventive, supportive, palliative and remedial care and services as may be prescribed by the authority according to the standards established pursuant to ORS 414.065, including premium assistance and payments made for services provided under an insurance or other contractual arrangement and money paid directly to the recipient for the purchase of health services and for services described in ORS 414.710."

Senate Bill 299 requires detention facilities to provide youth with medical assistance as defined by ORS 414.025. It also requires the Oregon Health Authority to seek a Medicaid waiver to cover youth in pre-adjudication detention in order to gain federal financial participation in the provision of medical assistance to pre-adjudicated youth.