

SB 299 -2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/21, 4/4, 4/8

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:

-2 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 youth in detention pending adjudication by July, 2022. 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, and Ballot Measure 11 youth 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 must be suspended. ORS 414.231 creates the Health Care for All Oregon Children program which makes "affordable, accessible health care available to all of Oregon's children. The program provides medical assistance to children, funded in whole or in part by Title XIX of the Social Security Act, by the State Children's Health Insurance Program under Title XXI of the Social Security Act and by moneys appropriated or allocated for that purpose by the Legislative Assembly." It does not currently provide health care for youth in pre-adjudication detention.

Juvenile Directors also report other barriers to accessing health care for youth detained pre-adjudication, including complex health care needs, inability to retain medical professionals, and inadequate facilities.

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.