

**A-Engrossed**  
**House Bill 2638**

Ordered by the House March 26  
Including House Amendments dated March 26

Sponsored by Representative SANCHEZ; Representatives KENY-GUYER, MITCHELL, NOSSE, SOLLMAN (Presession filed.)

**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.

Modifies membership [*and chairperson*] of Alcohol and Drug Policy Commission.

**A BILL FOR AN ACT**

Relating to the Alcohol and Drug Policy Commission; amending ORS 430.241 and 430.242.

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

**SECTION 1.** ORS 430.241, as amended by section 3, chapter 44, Oregon Laws 2018, is amended to read:

430.241. (1) As used in this section and ORS 430.242:

(a) "Participating state agency" means the Department of Corrections, the Department of Human Services, the Oregon Health Authority, the Department of Education, the Oregon Criminal Justice Commission, the Oregon State Police, the Oregon Youth Authority or any other state agency that is approved by the Alcohol and Drug Policy Commission to license, contract for, provide or coordinate alcohol or drug abuse prevention or treatment services.

(b) "Provider" means any person that is licensed by the Oregon Health Authority to provide alcohol or drug abuse prevention or treatment services.

(2) There is created the Alcohol and Drug Policy Commission, which is charged with improving the effectiveness and efficiency of state and local alcohol and drug abuse prevention and treatment services.

(3) The membership of the commission consists of:

(a) [*At least 12 but*] No more than [*16*] **17** members appointed by the Governor, subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565[. *The Governor shall appoint members*] **and appointed**, as the Governor deems practicable, to ensure representation from stakeholders directly impacted by the work of the commission[. *In making the appointments, the Governor shall consider representatives of*], **as follows:**

**(A) At least 75 percent of the members appointed by the Governor must be representatives of the following public health and health care stakeholder groups:**

[(A) *District attorneys;*]

[(B) *County sheriffs;*]

[(C)] (i) County commissioners, **managers and administrators;**

[(D)] (ii) Indian tribes;

**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 [(E) Providers of alcohol and drug abuse prevention and treatment services;]

2 **(iii) The following providers of addiction prevention and recovery services:**

3 **(I) Treatment providers employed by an outpatient addiction treatment program;**

4 **(II) Directors of inpatient addiction treatment centers;**

5 **(III) Addiction treatment providers who are culturally competent to serve specific cul-**  
6 **tural or ethnic populations;**

7 **(IV) Certified prevention specialists;**

8 **(V) Certified addiction counselors; and**

9 **(VI) Certified addiction recovery mentors;**

10 [(F) Chiefs of police;]

11 [(G) (iv) Alcohol or drug treatment researchers or epidemiologists;

12 [(H) Criminal defense attorneys;]

13 [(I) (v) The health insurance industry[,] or hospitals [or coordinated care organizations]; [and]

14 [(J) (vi) Consumers of [alcohol and drug abuse prevention and treatment] **addiction recovery**  
15 **services who are in recovery and the family members of consumers[.];**

16 **(vii) Experts in addiction medicine;**

17 **(viii) Entities that provide housing to individuals who are in recovery; and**

18 **(ix) Social service providers.**

19 **(B) Up to 25 percent of the members appointed by the Governor shall be representatives**  
20 **of one or more of the following stakeholder groups:**

21 **(i) District attorneys.**

22 **(ii) County sheriffs.**

23 **(iii) Chiefs of police.**

24 **(iv) Criminal defense attorneys.**

25 **(v) County community corrections agencies.**

26 (b) Two members of the Legislative Assembly appointed to the commission as nonvoting mem-  
27 bers of the commission, acting in an advisory capacity only and including:

28 (A) One member from among members of the Senate appointed by the President of the Senate;  
29 and

30 (B) One member from among members of the House of Representatives appointed by the Speaker  
31 of the House of Representatives.

32 (c) A judge of a circuit court appointed to the commission as a nonvoting member by the Chief  
33 Justice of the Supreme Court.

34 **(d) The director of the behavioral health program of the Oregon Health Authority as a**  
35 **nonvoting member.**

36 **(e) A representative of a coordinated care organization appointed to the commission as**  
37 **a nonvoting member by the Governor.**

38 (4) The Alcohol and Drug Policy Commission shall select one of its members as chairperson and  
39 another as vice chairperson, for such terms and with duties and powers necessary for the perform-  
40 ance of the functions of such offices as the commission determines.

41 (5)(a) A majority of the voting members of the commission constitutes a quorum for the trans-  
42 action of business.

43 **(b) If a member of the commission is absent for more than two consecutive scheduled**  
44 **meetings of the commission, the Director of the Alcohol and Drug Policy Commission ap-**  
45 **pointed under section 2, chapter 44, Oregon Laws 2018, may recommend to the Governor that**

1 **the member be replaced.**

2 (6) Official action of the commission requires the approval of a majority of a quorum.

3 (7) The commission may establish a steering committee and subcommittees. These committees  
4 may be continuing or temporary. A person who is not a member of the commission may be appointed  
5 by the commission to serve on a subcommittee. The commission shall appoint subcommittee members  
6 to ensure representation from all stakeholders directly impacted by the work of the commission.

7 (8) The term of office of each commission member appointed by the Governor is four years, but  
8 a member serves at the pleasure of the Governor. If there is a vacancy for any cause, the Governor  
9 shall make an appointment to become immediately effective.

10 (9) The Oregon Health Authority shall provide staff support to the commission. Subject to  
11 available funding, the commission may contract with a public or private entity to provide staff sup-  
12 port.

13 (10) Members of the commission who are not members of the Legislative Assembly are entitled  
14 to compensation and expenses incurred by them in the performance of their official duties in the  
15 manner and amounts provided for in ORS 292.495. Claims for compensation and expenses shall be  
16 paid out of funds appropriated to the Oregon Health Authority or funds appropriated to the com-  
17 mission for purposes of the commission.

18 **SECTION 2.** ORS 430.242, as amended by section 4, chapter 44, Oregon Laws 2018, is amended  
19 to read:

20 430.242. (1) For purposes of this section, “program” means a state, [or] local **or tribal** alcohol  
21 and drug abuse prevention and treatment program.

22 (2) The Alcohol and Drug Policy Commission established under ORS 430.241 shall develop a  
23 comprehensive addiction, prevention, treatment and recovery plan for this state. The plan must in-  
24 clude, but is not limited to, recommendations regarding:

- 25 (a) Capacity, type and utilization of programs;
- 26 (b) Methods to assess the effectiveness and performance of programs;
- 27 (c) The best use of existing programs;
- 28 (d) Budget policy priorities for participating state agencies;
- 29 (e) Standards for licensing programs;
- 30 (f) Minimum standards for contracting for, providing and coordinating alcohol and drug abuse  
31 prevention and treatment services among programs that use federal, private or state funds adminis-  
32 tered by the state; and

33 (g) The most effective and efficient use of participating state agency resources to support pro-  
34 grams.

35 (3) The commission shall review and update the plan developed under subsection (2) of this  
36 section no later than July 1 of each even-numbered year, beginning July 1, 2020.

37 (4) The commission may:

38 (a) Conduct studies related to the duties of the commission in collaboration with other state  
39 agencies;

40 (b) Apply for and receive gifts and grants for public and private sources; and

41 (c) Use funds received by the commission to carry out the purposes of ORS 430.241 and this  
42 section and section 2, chapter 44, Oregon Laws 2018.

43 (5) All state and local agencies shall assist the commission in developing the comprehensive  
44 addiction, prevention, treatment and recovery plan.

45 (6) The commission may adopt rules to carry out its duties under this section.

1       **SECTION 3.** ORS 430.242, as amended by sections 4 and 7, chapter 44, Oregon Laws 2018, is  
2 amended to read:

3       430.242. (1) For purposes of this section, “program” means a state, [or] local **or tribal** alcohol  
4 and drug abuse prevention and treatment program.

5       (2) The Alcohol and Drug Policy Commission established under ORS 430.241 shall develop a  
6 comprehensive addiction, prevention, treatment and recovery plan for this state. The plan must in-  
7 clude, but is not limited to, recommendations regarding:

8       (a) Capacity, type and utilization of programs;

9       (b) Methods to assess the effectiveness and performance of programs;

10       (c) The best use of existing programs;

11       (d) Budget policy priorities for participating state agencies;

12       (e) Standards for licensing programs;

13       (f) Minimum standards for contracting for, providing and coordinating alcohol and drug abuse  
14 prevention and treatment services among programs that use federal, private or state funds adminis-  
15 tered by the state; and

16       (g) The most effective and efficient use of participating state agency resources to support pro-  
17 grams.

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19 section no later than July 1 of each even-numbered year.

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21       (a) Conduct studies related to the duties of the commission in collaboration with other state  
22 agencies;

23       (b) Apply for and receive gifts and grants for public and private sources; and

24       (c) Use funds received by the commission to carry out the purposes of ORS 430.241 and this  
25 section and section 2, chapter 44, Oregon Laws 2018.

26       (5) All state and local agencies shall assist the commission in developing the comprehensive  
27 addiction, prevention, treatment and recovery plan.

28       (6) The commission may adopt rules to carry out its duties under this section.  
29