

Enrolled
House Bill 2638

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

CHAPTER

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;

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

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

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

(II) Directors of inpatient addiction treatment centers;

(III) Addiction treatment providers who are culturally competent to serve specific cultural or ethnic populations;

- (IV) Certified prevention specialists;**
(V) Certified addiction counselors; and
(VI) Certified addiction recovery mentors;
 [(F) *Chiefs of police;*]
 [(G)] **(iv) Alcohol or drug treatment researchers or epidemiologists;**
 [(H) *Criminal defense attorneys;*]
 [(I)] **(v) The health insurance industry[,] or hospitals [or coordinated care organizations]; [and]**
 [(J)] **(vi) Consumers of [alcohol and drug abuse prevention and treatment] addiction recovery**
 services who are in recovery and the family members of consumers[.];
(vii) Experts in addiction medicine;
(viii) Entities that provide housing to individuals who are in recovery; and
(ix) Social service providers.
- (B) Up to 25 percent of the members appointed by the Governor shall be representatives of one or more of the following stakeholder groups:**
- (i) District attorneys.**
(ii) County sheriffs.
(iii) Chiefs of police.
(iv) Criminal defense attorneys.
(v) County community corrections agencies.
- (b) Two members of the Legislative Assembly appointed to the commission as nonvoting members of the commission, acting in an advisory capacity only and including:
- (A) One member from among members of the Senate appointed by the President of the Senate; and
- (B) One member from among members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (c) A judge of a circuit court appointed to the commission as a nonvoting member by the Chief Justice of the Supreme Court.
- (d) The director of the behavioral health program of the Oregon Health Authority as a nonvoting member.**
- (e) A representative of a coordinated care organization appointed to the commission as a nonvoting member by the Governor.**
- (4) The Alcohol and Drug Policy Commission shall select one of its members as chairperson and another as vice chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the commission determines.
- (5)(a) A majority of the voting members of the commission constitutes a quorum for the transaction of business.
- (b) If a member of the commission is absent for more than two consecutive scheduled meetings of the commission, the Director of the Alcohol and Drug Policy Commission appointed under section 2, chapter 44, Oregon Laws 2018, may recommend to the Governor that the member be replaced.**
- (6) Official action of the commission requires the approval of a majority of a quorum.
- (7) The commission may establish a steering committee and subcommittees. These committees may be continuing or temporary. A person who is not a member of the commission may be appointed by the commission to serve on a subcommittee. The commission shall appoint subcommittee members to ensure representation from all stakeholders directly impacted by the work of the commission.
- (8) The term of office of each commission member appointed by the Governor is four years, but a member serves at the pleasure of the Governor. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective.
- (9) The Oregon Health Authority shall provide staff support to the commission. Subject to available funding, the commission may contract with a public or private entity to provide staff support.

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

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

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

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

- (a) Capacity, type and utilization of programs;
- (b) Methods to assess the effectiveness and performance of programs;
- (c) The best use of existing programs;
- (d) Budget policy priorities for participating state agencies;
- (e) Standards for licensing programs;
- (f) Minimum standards for contracting for, providing and coordinating alcohol and drug abuse prevention and treatment services among programs that use federal, private or state funds administered by the state; and
- (g) The most effective and efficient use of participating state agency resources to support programs.

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

(4) The commission may:

- (a) Conduct studies related to the duties of the commission in collaboration with other state agencies;
- (b) Apply for and receive gifts and grants for public and private sources; and
- (c) Use funds received by the commission to carry out the purposes of ORS 430.241 and this section and section 2, chapter 44, Oregon Laws 2018.

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

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

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

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

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

- (a) Capacity, type and utilization of programs;
- (b) Methods to assess the effectiveness and performance of programs;
- (c) The best use of existing programs;
- (d) Budget policy priorities for participating state agencies;
- (e) Standards for licensing programs;
- (f) Minimum standards for contracting for, providing and coordinating alcohol and drug abuse prevention and treatment services among programs that use federal, private or state funds administered by the state; and
- (g) The most effective and efficient use of participating state agency resources to support programs.

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

- (4) The commission may:
- (a) Conduct studies related to the duties of the commission in collaboration with other state agencies;
 - (b) Apply for and receive gifts and grants for public and private sources; and
 - (c) Use funds received by the commission to carry out the purposes of ORS 430.241 and this section and section 2, chapter 44, Oregon Laws 2018.
- (5) All state and local agencies shall assist the commission in developing the comprehensive addiction, prevention, treatment and recovery plan.
- (6) The commission may adopt rules to carry out its duties under this section.

Passed by House April 1, 2019

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 Timothy G. Sekerak, Chief Clerk of House

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 Tina Kotek, Speaker of House

Passed by Senate April 24, 2019

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 Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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 Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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 Bev Clarno, Secretary of State