

House Bill 2930

Sponsored by Representative SCHOUTEN; Representatives MITCHELL, NOSSE, Senators BEYER, MONNES ANDERSON

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 **as introduced**.

Prohibits Public Employees' Benefit Board and Oregon Educators Benefit Board from contracting with mental health providers, directly or through third party administrator, for payment or reimbursement of claims for mental health care provided to public employees unless mental health provider accepts patients who receive medical assistance. Requires boards to report to Legislative Assembly by February 1, 2021.
Sunsets January 2, 2022.

A BILL FOR AN ACT

1
2 Relating to medical assistance recipients.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **“Benefit plan,” “eligible employee” and “family member” have the meanings given**
6 **those terms in ORS 243.105.**

7 (b) **“Mental health provider” means:**

8 (A) **A psychiatrist;**

9 (B) **A psychologist licensed under ORS 675.010 to 675.150;**

10 (C) **A clinical social worker licensed under ORS 675.530; and**

11 (D) **A professional counselor or marriage and family therapist licensed under ORS**
12 **675.715.**

13 (2) **The Public Employees' Benefit Board may not, directly or through a third party ad-**
14 **ministrator, enter into or renew a contract with a mental health provider for the payment**
15 **or reimbursement of claims for mental health care provided to eligible employees or family**
16 **members unless the mental health provider accepts patients who are recipients of medical**
17 **assistance. A mental health provider is considered to accept patients who are recipients of**
18 **medical assistance if:**

19 (a) **At least 10 percent of the mental health provider's total number of patients are**
20 **medical assistance recipients; or**

21 (b) **The mental health provider is willing to accept as patients a number of medical as-**
22 **sistance recipients sufficient to constitute 10 percent of the mental health provider's total**
23 **number of patients, but is unable, despite due diligence, to attract enough medical assistance**
24 **recipients as patients to meet the requirement.**

25 (3) **Prior to entering into or renewing a contract with a mental health provider to provide**
26 **mental health care to eligible employees or family members who are enrolled in a benefit**
27 **plan offered by the board, the board or a third party administrator shall require the mental**
28 **health provider to report, in the manner prescribed by the board, information necessary for**

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 the board to determine whether the mental health provider meets the requirements of sub-
2 section (2) of this section.

3 **SECTION 2.** (1) As used in this section:

4 (a) "Benefit plan," "eligible employee" and "family member" have the meanings given
5 those terms in ORS 243.860.

6 (b) "Mental health provider" means:

7 (A) A psychiatrist;

8 (B) A psychologist licensed under ORS 675.010 to 675.150;

9 (C) A clinical social worker licensed under ORS 675.530; and

10 (D) A professional counselor or marriage and family therapist licensed under ORS
11 675.715.

12 (2) The Oregon Educators Benefit Board may not, directly or through a third party ad-
13 ministrator, enter into or renew a contract with a mental health provider for the payment
14 or reimbursement of claims for mental health care provided to eligible employees or family
15 members unless the mental health provider accepts patients who are recipients of medical
16 assistance. A mental health provider is considered to accept patients who are recipients of
17 medical assistance if:

18 (a) At least 10 percent of the mental health provider's total number of patients are
19 medical assistance recipients; or

20 (b) The mental health provider is willing to accept as patients a number of medical as-
21 sistance recipients sufficient to constitute 10 percent of the mental health provider's total
22 number of patients, but is unable, despite due diligence, to attract enough medical assistance
23 recipients as patients to meet the requirement.

24 (3) Prior to entering into or renewing a contract with a mental health provider to provide
25 mental health care to eligible employees or family members who are enrolled in a benefit
26 plan offered by the board, the board or a third party administrator shall require the mental
27 health provider to report, in the manner prescribed by the board, information necessary for
28 the board to determine whether the mental health provider meets the requirements of sub-
29 section (2) of this section.

30 **SECTION 3.** (1) Not later than February 1, 2021, the Public Employees' Benefit Board
31 shall submit a report to the Legislative Assembly, in the manner provided in ORS 192.245,
32 on the extent to which section 1 of this 2019 Act has increased medical assistance recipients'
33 access to timely mental health care.

34 (2) Not later than February 1, 2021, the Oregon Educators Benefit Board shall submit a
35 report to the Legislative Assembly, in the manner provided in ORS 192.245, on the extent to
36 which section 2 of this 2019 Act has increased medical assistance recipients' access to timely
37 mental health care.

38 **SECTION 4.** Sections 1 and 2 of this 2019 Act are repealed on January 2, 2022.

39 **SECTION 5.** Sections 1 and 2 of this 2019 Act apply to contracts entered into or renewed
40 on or after the effective date of this 2019 Act.