

SENATE AMENDMENTS TO SENATE BILL 133

By COMMITTEE ON HEALTH CARE

April 15

1 On page 1 of the printed bill, line 2, delete “declaring an emergency” and insert “prescribing
2 an effective date”.

3 Delete lines 4 through 30 and delete page 2 and insert:

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

5 **“(a) ‘Advertisement’ means a public notice, announcement or communication in any form**
6 **or by means of any media that describes a mental health or substance abuse treatment**
7 **service or facility for the purpose of promoting, soliciting the purchase of or selling sub-**
8 **stance abuse, problem gambling or mental health services and support that a person provides**
9 **to residents of this state.**

10 **“(b)(A) ‘Person’ means a natural person, a partnership, a limited partnership, a limited**
11 **liability partnership, a corporation, a professional corporation, a nonprofit corporation, a**
12 **limited liability company, a business trust or another business entity.**

13 **“(B) ‘Person’ does not include a public body, as defined in ORS 174.109, or the Oregon**
14 **Health and Science University.**

15 **“(c) ‘Substance abuse, problem gambling or mental health services and support’ means**
16 **all services and supports necessary to treat substance abuse, problem gambling or other**
17 **mental health issues, such as outpatient behavioral health services and supports for children**
18 **and adults, intensive treatment services for children, outpatient and residential substance**
19 **use disorders treatment services and outpatient and residential problem gambling treatment**
20 **services.**

21 **“(2) A person that provides substance abuse, problem gambling or mental health services**
22 **and support may not:**

23 **“(a) Accept from another person, or pay to another person, a fee, commission, bonus,**
24 **rebate or other compensation for a referral of, or to refer, a resident of this state for sub-**
25 **stance abuse, problem gambling or mental health services and support.**

26 **“(b) Issue, engage, pay for, disseminate or otherwise make available an advertisement**
27 **that intentionally falsely states or misrepresents the need for a resident of this state to ob-**
28 **tain substance abuse, problem gambling or mental health services and support outside this**
29 **state or at a facility that is located outside this state.**

30 **“(c) Intentionally misrepresent or falsely state in an advertisement a resident of this**
31 **state’s eligibility to participate in a medical assistance program.**

32 **“SECTION 2. This 2019 Act takes effect on the 91st day after the date on which the 2019**
33 **regular session of the Eightieth Legislative Assembly adjourns sine die.”.**