

**A-Engrossed**  
**Senate Bill 299**

Ordered by the Senate April 17  
Including Senate Amendments dated April 17

Sponsored by Senators HANSELL, FAGAN (Pre-session 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.

Prohibits denial of medical assistance on basis that individual under [18] **19** years of age is in detention pending adjudication. Requires Oregon Health Authority to seek federal approval for federal financial participation in costs of providing medical assistance to such individuals.

**Requires Oregon Health Authority to conduct study, in consultation and collaboration with directors of county juvenile departments, agencies working with juvenile justice and youth health care systems, directors of juvenile detention facilities, Department of Human Services and Oregon Youth Authority, of needs of and barriers to youth in detention in accessing medical assistance and health care services. Requires Oregon Health Authority to report on study to interim committees of Legislative Assembly related to judiciary no later than September 15, 2021.**

**A BILL FOR AN ACT**

1  
2 Relating to medical assistance for youth in preadjudication detention.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 414.**

5 **SECTION 2. An individual who is under 19 years of age who is otherwise eligible for**  
6 **medical assistance through the Health Care for All Oregon Children program established in**  
7 **ORS 414.231 may not be denied medical assistance on the basis that the individual is being**  
8 **held in a juvenile detention facility pending adjudication.**

9 **SECTION 3. No later than July 1, 2022, the Oregon Health Authority shall request ap-**  
10 **proval from the Centers for Medicare and Medicaid Services for an amendment to the dem-**  
11 **onstration project under section 1115 of the Social Security Act (42 U.S.C. 1315) to allow for**  
12 **federal financial participation in the costs of providing medical assistance to individuals who**  
13 **are under 19 years of age and are being held in a juvenile detention facility pending adjudi-**  
14 **cation.**

15 **SECTION 4. (1) The Oregon Health Authority, in consultation and collaboration with the**  
16 **directors of every county juvenile department in this state, representatives of agencies that**  
17 **work with juvenile justice and youth health care systems, directors of juvenile detention fa-**  
18 **ilities, the Department of Human Services and the Oregon Youth Authority shall undertake**  
19 **a study of the need to provide medical assistance to youth being held in juvenile detention**  
20 **facilities prior to adjudication. The Oregon Health Authority must study, at a minimum, all**  
21 **of the following:**

22 **(a) The medical and behavioral health needs of youth in juvenile detention facilities;**

23 **(b) The number of youth eligible for medical assistance immediately prior to entering**

**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 juvenile detention facilities and the impact of the suspension of their medical assistance after  
2 entering juvenile detention facilities;

3 (c) The number of youth entering juvenile detention facilities who are members of coor-  
4 dinated care organizations;

5 (d) The state and local social service agencies that are involved with youth at the time  
6 youth are placed in juvenile detention facilities;

7 (e) The types of placement recommendations made for youth as alternatives to detention  
8 before the youth enter juvenile detention facilities;

9 (f) The costs of prescription drugs and other health care provided to youth in juvenile  
10 detention facilities;

11 (g) The impact on the ability of youth to receive the recommended level of care as a re-  
12 sult of placement in juvenile detention facilities including the inability of the youth to receive  
13 residential care or placement in pediatric subacute care facilities; and

14 (h) Other barriers to youth accessing medical, behavioral and mental health services  
15 upon placement in juvenile detention facilities because they become ineligible for medical  
16 assistance upon placement.

17 (2) The authority shall submit a report, as provided in ORS 192.245, of the findings from  
18 the study and may provide recommendations for legislative changes to the interim commit-  
19 tees of the Legislative Assembly related to the judiciary no later than September 15, 2021.

20 (3) All agencies of state government, as defined in ORS 174.111, are directed to assist the  
21 authority in conducting the study and, to the extent permitted by laws relating to  
22 confidentiality, to furnish information and advice necessary for the group to conduct the  
23 study.

24 **SECTION 5.** Section 4 of this 2019 Act is repealed on December 31, 2021.  
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