

Requested by SENATE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO
SENATE BILL 138**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages
2 2 and 3 and insert:

3 **“SECTION 1. (1) The Mental Health Clinical Advisory Group is es-**
4 **tablished in the Oregon Health Authority. The Mental Health Clinical**
5 **Advisory Group shall develop evidence-based algorithms for mental**
6 **health treatments, including treatments with mental health drugs**
7 **based on:**

8 **“(a) The efficacy of the drug;**

9 **“(b) The cost of the drug;**

10 **“(c) Potential side effects of the drug;**

11 **“(d) A patient’s profile; and**

12 **“(e) A patient’s history with the drug.**

13 **“(2) The Mental Health Clinical Advisory Group consists of 18**
14 **members appointed by the authority as follows:**

15 **“(a) Two psychiatrists each with an active community practice;**

16 **“(b) One child and adolescent psychiatrist;**

17 **“(c) Two licensed clinical psychologists;**

18 **“(d) One psychiatric nurse practitioner with prescribing privileges;**

19 **“(e) Two primary care providers;**

20 **“(f) Two pharmacists, one of whom must have experience dispens-**
21 **ing to long term care facilities and patients with special needs;**

1 “(g) Two individuals, each representing a statewide mental health
2 advocacy organization for children and adults with mental illness, who
3 have experience as a consumer of mental health services or as a family
4 member of a consumer of mental health services;

5 “(h) Two individuals each representing a coordinated care organ-
6 ization;

7 “(i) One consumer of mental health services;

8 “(j) One member of a federally recognized Oregon Indian tribe;

9 “(k) One member who represents the Department of Corrections
10 who has a clinical background; and

11 “(L) One member who is a clinical psychiatrist and who represents
12 the Oregon Psychiatric Access Line.

13 “(3) The Mental Health Clinical Advisory Group shall, in developing
14 treatment algorithms, consider all of the following:

15 “(a) Peer-reviewed medical literature;

16 “(b) Observational studies;

17 “(c) Studies of health economics;

18 “(d) Input from patients and physicians; and

19 “(e) Any other information that the group deems appropriate.

20 “(4) The Mental Health Clinical Advisory Group shall make recom-
21 mendations to the authority and the Pharmacy and Therapeutics
22 Committee, including but not limited to:

23 “(a) Implementation of evidence-based algorithms.

24 “(b) Any changes needed to any preferred drug list used by the au-
25 thority.

26 “(c) Practice guidelines for the treatment of mental health disor-
27 ders with mental health drugs.

28 “(d) Coordinating the work of the group with an entity that offers
29 a psychiatric advice hotline.

30 “(5) Recommendations of the Mental Health Clinical Advisory

1 **Group shall be posted to the website of the authority no later than 30**
2 **days after the group approves the recommendations.**

3 **“(6) No later than December 31 of each year, the Mental Health**
4 **Clinical Advisory Group shall report to the interim committees of the**
5 **Legislative Assembly related to health on recommendations made to**
6 **the authority under subsection (4) of this section and the report may**
7 **include recommendations for legislation.**

8 **“(7) A member of the Mental Health Clinical Advisory Group is not**
9 **entitled to compensation but may be reimbursed for necessary travel**
10 **expenses incurred in the performance of the member’s official duties.**

11 **“(8) The Mental Health Clinical Advisory Group shall select one of**
12 **its members as chairperson and another as vice chairperson, for terms**
13 **and with duties and powers necessary for the performance of the**
14 **functions of the group.**

15 **“(9) A majority of the members of the Mental Health Clinical Ad-**
16 **visory Group constitutes a quorum for the transaction of business.**

17 **“(10) The Mental Health Clinical Advisory Group shall meet at least**
18 **once every two months at a time and place determined by the chair-**
19 **person. The group also may meet at other times and places specified**
20 **by the call of the chairperson or of a majority of the members of the**
21 **group. The group may meet in executive session when discussing fac-**
22 **tors listed in subsection (1) of this section.**

23 **“(11) All agencies of state government, as defined in ORS 174.111,**
24 **are directed to assist the Mental Health Clinical Advisory Group in the**
25 **performance of duties of the group and, to the extent permitted by**
26 **laws relating to confidentiality, to furnish information and advice the**
27 **members of the group consider necessary to perform their duties.**

28 **“SECTION 2. No later than December 31, 2020, the Mental Health**
29 **Clinical Advisory Group shall report to the interim committees of the**
30 **Legislative Assembly related to health on its progress in developing**

1 evidence-based algorithms for mental health drugs.

2 **“SECTION 3. (1) As used in this section, ‘mental health drug’**
3 **means a type of legend drug defined by the Oregon Health Authority**
4 **by rule that includes but is not limited to:**

5 **“(a) Therapeutic class 7 ataractics-tranquilizers; and**

6 **“(b) Therapeutic class 11 psychostimulants-antidepressants.**

7 **“(2) Notwithstanding ORS 414.334, the authority shall reimburse the**
8 **cost of a mental health drug prescribed for a medical assistance re-**
9 **cipient if federal financial participation in the cost is available.**

10 **“SECTION 4. Section 3 of this 2019 Act is repealed on January 2,**
11 **2022.**

12 **“SECTION 5. In addition to and not in lieu of any other appropri-**
13 **ation, there is appropriated to the Oregon Health Authority, for the**
14 **biennium beginning July 1, 2019, out of the General Fund, the amount**
15 **of \$500,000, which may be expended for carrying out section 1 of this**
16 **2019 Act, including but not limited to providing the staffing levels and**
17 **resources within the Oregon Health Authority to carry out section 1**
18 **of this 2019 Act.**

19 **“SECTION 6. This 2019 Act being necessary for the immediate**
20 **preservation of the public peace, health and safety, an emergency is**
21 **declared to exist, and this 2019 Act takes effect on its passage.”.**

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