

Requested by Senator COURTNEY

**PROPOSED AMENDMENTS TO
SENATE BILL 1**

1 On page 1 of the printed bill, line 2, after “needs;” insert “creating new
2 provisions; repealing ORS 418.975, 418.977, 418.980, 418.982 and 418.985;”.

3 Delete lines 4 through 25 and delete pages 2 through 5 and insert:
4

5 **“SYSTEM OF CARE ADVISORY COUNCIL**
6

7 **“SECTION 1. Definitions. As used in sections 1 to 4 of this 2019 Act,**
8 **unless the context requires otherwise:**

9 **“(1) ‘Cultural competence’ means accepting and respecting diversity**
10 **and differences in a continuous process of self-assessment and re-**
11 **flection on one’s personal and organizational perceptions of the dy-**
12 **namics of culture.**

13 **“(2) ‘Cultural responsiveness’ means the process by which people**
14 **and systems respond respectfully and effectively to individuals of all**
15 **cultures, languages, classes, races, ethnic backgrounds, disabilities,**
16 **religions, genders, sexual orientations and other diversity factors in a**
17 **manner that recognizes, affirms and values the worth of individuals,**
18 **families and communities, and that protects and preserves the dignity**
19 **of each.**

20 **“(3) ‘Family’ includes, with respect to a youth:**

21 **“(a) A biological or legal parent;**

- 1 **“(b) A sibling;**
2 **“(c) An individual related by blood, marriage or adoption;**
3 **“(d) A foster parent;**
4 **“(e) A legal guardian;**
5 **“(f) A caregiver;**
6 **“(g) An individual with a significant social relationship with the**
7 **youth;**
8 **“(h) Any person who provides support to the youth that the youth**
9 **identifies as important; and**
10 **“(i) Any person identified by the youth as being family.**
11 **“(4) ‘Services and supports’ means public, private and community**
12 **resources that assist youth in the achievement of positive outcomes,**
13 **including but not limited to education, child welfare, public health,**
14 **primary care, pediatric care, juvenile justice, mental health treatment,**
15 **substance use treatment and services for individuals with intellectual**
16 **and developmental disabilities.**
17 **“(5) ‘System of care’ means a coordinated network of services and**
18 **supports to youth that:**
19 **“(a) Integrates care planning and management across multiple lev-**
20 **els of care;**
21 **“(b) Recognizes disability as a natural and healthy part of the hu-**
22 **man experience;**
23 **“(c) Is culturally and linguistically competent;**
24 **“(d) Is designed to build meaningful partnerships with families and**
25 **youth in the delivery and management of services and the develop-**
26 **ment of policy; and**
27 **“(e) Has a supportive policy and management infrastructure.**
28 **“(6) ‘Youth’ means an individual 25 years of age or younger who**
29 **has, or is at increased risk of developing, chronic behavioral, emo-**
30 **tional, physical or developmental conditions and is under the super-**

1 vision of or engaged with two or more systems of care.

2 **“SECTION 2. System of Care Advisory Council; membership;**
3 **meetings.** (1) A commission known as the System of Care Advisory
4 Council is established.

5 **“(2) The council consists of 25 members appointed as follows:**

6 **“(a) The Chief Justice of the Supreme Court shall appoint one rep-**
7 **resentative from the Judicial Department.**

8 **“(b) The Governor shall appoint:**

9 **“(A) Two members who are representatives of the Department of**
10 **Human Services with extensive knowledge of systems of care, one of**
11 **whom must have direct experience with intellectual and developmental**
12 **disabilities programs.**

13 **“(B) One member who is a representative of the Oregon Youth**
14 **Authority with extensive knowledge of systems of care.**

15 **“(C) One member who is a representative of the Oregon Health**
16 **Authority with extensive knowledge of systems of care.**

17 **“(D) One member who is a representative of the Department of**
18 **Education.**

19 **“(E) Two members who are representatives of coordinated care or-**
20 **ganizations meeting the criteria adopted by the Oregon Health Au-**
21 **thority under ORS 414.625, at least one of which must provide services**
22 **to rural communities.**

23 **“(F) One psychiatrist, one psychologist and one pediatric physician,**
24 **each of whom must have clinical experience with youth.**

25 **“(G) One member who is a representative of an entity that offers**
26 **commercial insurance.**

27 **“(H) Three members who are representatives of agencies that pro-**
28 **vide different services and supports to youth and families of youth.**

29 **“(I) One member who is a representative of organizations that ad-**
30 **vocate for youth.**

1 **“(J) One member who is a representative of organizations that ad-**
2 **vocate for families of youth.**

3 **“(K) Two members of the public, each of whom are family members**
4 **of:**

5 **“(i) Persons with intellectual or developmental disabilities or men-**
6 **tal illness; or**

7 **“(ii) Persons who are currently or were previously in the foster care**
8 **system or the youth criminal justice system.**

9 **“(L) Two members of the public who are no more than 25 years of**
10 **age and who:**

11 **“(i) Are persons with intellectual or developmental disabilities or**
12 **mental illness; or**

13 **“(ii) Are currently or were previously a ward, youth or youth**
14 **offender, as those terms are defined in ORS 419A.004.**

15 **“(M) One member who is a county juvenile department director.**

16 **“(N) One member who is a county mental health program director.**

17 **“(O) One member who is a member of a federally recognized Indian**
18 **tribe in this state or a designee of the Indian tribe.**

19 **“(P) One member who is a representative of Oregon’s federally**
20 **mandated disability protection and advocacy agency.**

21 **“(3) The term of office of each member of the council is four years,**
22 **but a member serves at the pleasure of the appointing authority. Be-**
23 **fore the expiration of the term of a member, a successor shall be ap-**
24 **pointed whose term begins on January 2 next following. A member is**
25 **eligible for reappointment to one additional term. If there is a vacancy**
26 **for any cause, the appointing authority shall make an appointment to**
27 **become immediately effective for the unexpired term.**

28 **“(4)(a) Members of the council who are not state employees are not**
29 **entitled to compensation or reimbursement for expenses and serve as**
30 **volunteers on the council.**

1 **“(b) Notwithstanding paragraph (a) of this subsection, members of**
2 **the council described in subsection (2)(b)(K) and (L) of this section**
3 **may be reimbursed for travel and other reasonable expenses associated**
4 **with serving on the council.**

5 **“(5) Members of the council who are state employees carrying out**
6 **their state employment functions are entitled to compensation and**
7 **reimbursement by their employing agencies for actual and necessary**
8 **travel and other expenses incurred by them in the performance of**
9 **their official duties as members of the council.**

10 **“(6) The Governor shall appoint one of the members as chairperson,**
11 **to serve at the pleasure of the Governor. The members of the council**
12 **shall elect from among themselves a vice chairperson who shall pre-**
13 **side over meetings and exercise the functions of the chairperson dur-**
14 **ing the absence or disability of the chairperson. The chairperson and**
15 **the vice chairperson shall execute the duties determined by the council**
16 **to be necessary.**

17 **“(7) The council shall meet at least four times per year at a place,**
18 **day and hour determined by the council.**

19 **“(8) A majority of the members of the council constitutes a quorum**
20 **for the transaction of business.**

21 **“(9) The Oregon Health Authority, in coordination with the De-**
22 **partment of Human Services, shall provide staff support to the coun-**
23 **cil.**

24 **“SECTION 3. Purpose and duties of council; rules. (1) The purpose**
25 **of the System of Care Advisory Council is to improve the effectiveness**
26 **and efficacy of state and local systems of care that provide services**
27 **to youth by providing a centralized and impartial forum for statewide**
28 **policy development and planning.**

29 **“(2) The primary duty of the council is to develop and maintain a**
30 **state system of care policy and a comprehensive, long-range plan for**

1 a coordinated state system of care that encompasses public health,
2 health systems, child welfare, education, juvenile justice and services
3 and supports for mental and behavioral health and people with intel-
4 lectual or developmental disabilities. The plan must include, but need
5 not be limited to, recommendations regarding:

6 “(a) Capacity, utilization and types of state and local systems of
7 care and services and supports;

8 “(b) Implementation of in-home behavioral health services, crisis
9 and transition services, therapeutic foster care, in-home family sup-
10 port services and the integration of those services with existing pro-
11 grams of residential services for individuals with behavioral health
12 needs and intellectual developmental disabilities;

13 “(c) Appropriate use of existing systems of care and services and
14 supports;

15 “(d) Whether additional services and supports are necessary to ad-
16 dress gaps in coverage;

17 “(e) Methods for assessing the effectiveness of systems of care and
18 services and supports in reducing juvenile dependency or delinquency;

19 “(f) Methods of reducing risk of future juvenile dependency or de-
20 linquency;

21 “(g) The effective utilization of the local system of care governance
22 structure;

23 “(h) Guidelines for partner agency core values and guiding princi-
24 ples; and

25 “(i) Guidelines that ensure cultural competence in the provision of
26 services and supports by:

27 “(A) Implementing uniform standards to allow local system of care
28 teams to describe the culturally responsive services and supports
29 available in a system of care.

30 “(B) Providing youth and families with understandable and effective

1 system of care services in a manner compatible with their disabilities,
2 cultural beliefs and practices, literacy skills and language.

3 “(C) Developing and implementing a process to review practices
4 accepted by diverse communities.

5 “(D) Identifying ways to continually improve culturally competent
6 system of care services and implementing a statewide system of care
7 that reflects culturally competent practices.

8 “(3) Other duties of the council are to:

9 “(a) Conduct joint studies by agreement with other state agencies,
10 boards or commissions on any matter within the jurisdiction of the
11 council;

12 “(b) Provide oversight of the implementation of the services de-
13 scribed in subsection (2)(b) of this section by the Oregon Health Au-
14 thority, the Oregon Youth Authority and the Department of Human
15 Services and to provide periodic updates on the agencies’ implemen-
16 tation to the Legislative Assembly;

17 “(c) Provide recommendations to the Director of the Oregon Health
18 Authority, the Director of the Oregon Youth Authority and the Di-
19 rector of Human Services as necessary for the agencies to maintain
20 and strengthen the systems of care;

21 “(d) Make recommendations to the Director of the Oregon Health
22 Authority, the Director of the Oregon Youth Authority and the Di-
23 rector of Human Services to reduce barriers to implementation of
24 systems of care; and

25 “(e) Continually monitor and update the Children’s System Data
26 Dashboard described in section 4 of this 2019 Act, with a specific focus
27 on the number of youth placed in hotels, out-of-state placements,
28 emergency department boarding, congregate care facilities, shelter
29 care or Oregon Youth Authority custody.

30 “(4)(a) On or before January 2 of each even-numbered year, the

1 council shall update its plan under subsection (2) of this section and
2 submit the plan to an interim committee of the Legislative Assembly
3 related to youth, and to the Governor.

4 “(b) On or before September 15 of each year, the council shall sub-
5 mit a report in the manner provided in ORS 192.245, including recom-
6 mendations for legislation, to an interim committee of the Legislative
7 Assembly related to youth, and to the Governor, describing how the
8 council is meeting its goals, the remaining barriers to access to ser-
9 vices and supports and recommendations for legislation.

10 “(5) The council may:

11 “(a) Apply for and receive gifts and grants from any public or pri-
12 vate source.

13 “(b) Award grants from funds appropriated by the Legislative As-
14 sembly to the council or from funds otherwise available from any
15 other source, for the purpose of supporting local system of care
16 governance and for carrying out the recommendations in the council’s
17 plan developed under subsection (2) of this section.

18 “(c) Adopt rules to carry out the provisions of this section.

19 “(6) All agencies of state government, as defined in ORS 174.111, are
20 directed to assist the council in the performance of the duties of the
21 council and, to the extent permitted by laws relating to
22 confidentiality, to furnish information and advice the members of the
23 council consider necessary to perform the duties of the council.

24 “SECTION 4. Children’s System Data Dashboard. (1) The System
25 of Care Advisory Council shall maintain the Children’s System Data
26 Dashboard, which must include, at a minimum, the following local and
27 statewide data:

28 “(a) The number of children under 21 years of age, wards, youth and
29 youth offenders being served by the Oregon Youth Authority, the
30 Oregon Health Authority and the Department of Human Services;

1 **“(b) The number of children, wards, youth and youth offenders**
2 **identified in this section who are currently living in each of the fol-**
3 **lowing situations:**

4 **“(A) At home;**

5 **“(B) In substitute care; or**

6 **“(C) In specific placement;**

7 **“(c) The number of children, wards, youth and youth offenders**
8 **identified in this section who were previously identified as being in**
9 **danger of removal but who have been able to remain in their homes;**

10 **“(d) The number of children, wards, youth and youth offenders**
11 **identified in this section who are living in hotels, out-of-state place-**
12 **ments, congregate care facilities, shelter care or emergency depart-**
13 **ment boarding;**

14 **“(e) The length of time the children, wards, youth and youth**
15 **offenders identified in this section have been waiting to access services**
16 **or appropriate placements; and**

17 **“(f) Outcomes of services that are provided to children, wards,**
18 **youth and youth offenders by the Oregon Youth Authority, the Oregon**
19 **Health Authority and the Department of Human Services.**

20 **“(2) Notwithstanding section 1 of this 2019 Act, as used in this sec-**
21 **tion, the terms ‘wards,’ ‘youth’ and ‘youth offenders’ have the**
22 **meanings given those terms in ORS 419A.004.**

23 **“(3) The System of Care Advisory Council may adopt rules to carry**
24 **out the provisions of this section.**

25 **“SECTION 5. System of Care Account. The System of Care Account**
26 **is established, separate and distinct from the General Fund. All mon-**
27 **eys deposited in the account are continuously appropriated to the**
28 **System of Care Advisory Council for the purposes of sections 1 to 4**
29 **of this 2019 Act.**

30 **“SECTION 6. Reports to Legislative Assembly. The System of Care**

1 **Advisory Council shall submit the following reports in the manner**
2 **provided in ORS 192.245, including recommendations for legislation, to**
3 **an interim committee of the Legislative Assembly related to youth,**
4 **and to the Governor:**

5 **“(1) No later than May 1, 2020, a description of all gains agencies**
6 **have made in strengthening the service continuum, including the work**
7 **done by agencies participating in systems of care, and a description**
8 **of the data the council are tracking to demonstrate outcomes of en-**
9 **hanced services and supports.**

10 **“(2) No later than June 1, 2020, a description of the Children’s Sys-**
11 **tem Data Dashboard described in section 4 of this 2019 Act, with in-**
12 **structions for how to access the data.**

13 **“(3) No later than June 1, 2020, a status report regarding the**
14 **council’s development of the plan described in section 3 (2) of this 2019**
15 **Act.**

16 **“(4) No later than September 15, 2020, a description of the council’s**
17 **recommendations to resolve the barriers and challenges to implemen-**
18 **tation of systems of care.**

19 **“(5) No later than February 1, 2021, recommendations regarding**
20 **opportunities for braided and blended funding, including consideration**
21 **of grants to agencies participating in systems of care to support in-**
22 **novation and the shift to more community-based and in-home services**
23 **and supports.**

24 **“(6) No later than September 15, 2021, the details of the council’s**
25 **plan described in section 3 (2) of this 2019 Act.**

26 **“SECTION 7. ORS 418.975, 418.977, 418.980, 418.982 and 418.985 are**
27 **repealed.**

28

29

“INTERDISCIPLINARY ASSESSMENT TEAMS

30

1 **“SECTION 8. Interdisciplinary assessment teams.** (1) The Depart-
2 **ment of Human Services, the Oregon Health Authority and the Oregon**
3 **Youth Authority may contract with public or private providers to es-**
4 **tablish interdisciplinary assessment teams to provide services to**
5 **youth.**

6 **“(2) An interdisciplinary assessment team shall:**

7 **“(a) Provide evaluation of youth.**

8 **“(b) Increase statewide education, consultation and telemedicine**
9 **evaluation, assessment and treatment capacity, with specific emphasis**
10 **on increasing access to psychiatric and developmental assessments in**
11 **communities that lack sufficient access to providers.**

12 **“(c) Prioritize evaluation, assessment and stabilization services**
13 **provided to youth who are placed in hotels, in out-of-state facilities,**
14 **in emergency department boarding, in shelter care, in institutional**
15 **care, in county detention facilities or in the custody of the Oregon**
16 **Youth Authority.**

17 **“(3) The Oregon Health Authority, in consultation with the De-**
18 **partment of Human Services and the Oregon Youth Authority, shall**
19 **establish criteria for proposals for contracts under this section, pre-**
20 **pare and publish requests for proposals, receive proposals and award**
21 **contracts to eligible providers.**

22 **“(4) As used in this section ‘system of care’ and ‘youth’ have the**
23 **meanings given those terms in section 1 of this 2019 Act.**

24
25 **“APPROPRIATIONS**
26

27 **“SECTION 9. System of Care Advisory Council.** In addition to and
28 **not in lieu of any other appropriation, there is appropriated to the**
29 **System of Care Advisory Council, for the biennium beginning July 1,**
30 **2019, out of the General Fund, the amount of \$2,000,000 for the purpose**

1 of carrying out the provisions of sections 1 to 6 of this 2019 Act.

2 **“SECTION 10. Interdisciplinary assessment teams. In addition to**
3 **and not in lieu of any other appropriation, there is appropriated to the**
4 **Oregon Health Authority, for the biennium beginning July 1, 2019, out**
5 **of the General Fund, the amount of \$10,400,000 for the purpose of car-**
6 **rying out the provisions of section 8 of this 2019 Act.**

7
8 **“MISCELLANEOUS**
9

10 **“SECTION 11. Notwithstanding the term of office specified by sec-**
11 **tion 2 of this 2019 Act, of the members first appointed to the System**
12 **of Care Advisory Council:**

13 **“(1) Nine shall serve for a term ending January 1, 2021.**

14 **“(2) Eight shall serve for a term ending January 1, 2022.**

15 **“(3) Eight shall serve for a term ending January 1, 2023.**

16 **“SECTION 12. No later than June 1, 2020, the System of Care Ad-**
17 **visory Council shall develop and deploy the Children’s System Data**
18 **Dashboard described in section 4 of this 2019 Act.**

19 **“SECTION 13. (1) Section 12 of this 2019 Act is repealed on January**
20 **2, 2021.**

21 **“(2) Section 6 of this 2019 Act is repealed on January 2, 2022.**

22 **“SECTION 14. The unit and section captions used in this 2019 Act**
23 **are provided only for the convenience of the reader and do not become**
24 **part of the statutory law of this state or express any legislative intent**
25 **in the enactment of this 2019 Act.**

26 **“SECTION 15. This 2019 Act being necessary for the immediate**
27 **preservation of the public peace, health and safety, an emergency is**
28 **declared to exist, and this 2019 Act takes effect on its passage.”.**