

SB 133-7
(LC 1399)
4/8/19 (SCT/ps)

Requested by SENATE COMMITTEE ON HEALTH CARE (at the request of Oregon Council for Behavioral Health)

**PROPOSED AMENDMENTS TO
SENATE BILL 133**

1 On page 1 of the printed bill, line 2, delete “declaring an emergency” and
2 insert “prescribing 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**
6 **communication in any form or by means of any media that describes**
7 **a mental health or substance abuse treatment service or facility for**
8 **the purpose of promoting, soliciting the purchase of or selling sub-**
9 **stance abuse, problem gambling or mental health services and support**
10 **that a person provides to residents of this state.**

11 **“(b)(A) ‘Person’ means a natural person, a partnership, a limited**
12 **partnership, a limited liability partnership, a corporation, a profes-**
13 **sional corporation, a nonprofit corporation, a limited liability com-**
14 **pany, a business trust or another business entity.**

15 **“(B) ‘Person’ does not include a public body, as defined in ORS**
16 **174.109, or the Oregon Health and Science University.**

17 **“(c) ‘Substance abuse, problem gambling or mental health services**
18 **and support’ means all services and supports necessary to treat sub-**
19 **stance abuse, problem gambling or other mental health issues, such**
20 **as outpatient behavioral health services and supports for children and**
21 **adults, intensive treatment services for children, outpatient and resi-**

1 **dential substance use disorders treatment services and outpatient and**
2 **residential problem gambling treatment services.**

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

5 **“(a) Accept from another person, or pay to another person, a fee,**
6 **commission, bonus, rebate or other compensation for a referral of, or**
7 **to refer, a resident of this state for substance abuse, problem gambling**
8 **or mental health services and support.**

9 **“(b) Issue, engage, pay for, disseminate or otherwise make available**
10 **an advertisement that intentionally falsely states or misrepresents the**
11 **need for a resident of this state to obtain substance abuse, problem**
12 **gambling or mental health services and support outside this state or**
13 **at a facility that is located outside this state.**

14 **“(c) Intentionally misrepresent or falsely state in an advertisement**
15 **a resident of this state’s eligibility to participate in a medical assist-**
16 **ance program.**

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

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