

# House Bill 4082

Sponsored by Representative GREENLICK, Senator ROBLAN, Representatives NOSSE, HAYDEN, MITCHELL, SALINAS, WILLIAMS; Representatives ALONSO LEON, DRAZAN, HELM, HOLVEY, KENY-GUYER, LIVELY, MEEK, PILUSO, REARDON, SANCHEZ, SCHOUTEN, Senator TAYLOR (Presession 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 **as introduced**.

Establishes Behavioral Health Road Map Commission in Legislative Assembly. Specifies membership and duties.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1 Relating to behavioral health; and declaring an emergency.

2  
3 Whereas when the state closed the state psychiatric hospitals at the end of the last century, a  
4 robust community mental health system to care for the patients who were released was promised  
5 but never put into place; and

6 Whereas the closing of Dammasch State Hospital in 1995 created a crisis in behavioral health  
7 care that has not yet been resolved; and

8 Whereas the behavioral health care system, which includes both mental health services and  
9 substance abuse treatment services, has grown exponentially worse over time; and

10 Whereas other factors, such as an explosion in homelessness, have made the development of  
11 solutions even more difficult given how intertwined are homelessness, mental health challenges and  
12 substance use; and

13 Whereas while the situation has become increasingly clear, comprehensive solutions have been  
14 elusive; and

15 Whereas a commission will create a formal structure to guide the creation of an integrated be-  
16 havioral health system over the next decade, to provide a mechanism to move the state forward in  
17 a systematic way, to provide the structure to bring the official decision makers in Oregon together  
18 with critical stakeholders to define priorities and to allocate resources within a framework predi-  
19 cated on explicit shared decision-making processes; now, therefore,

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

21 **SECTION 1. (1) The Behavioral Health Road Map Commission is established as a joint**  
22 **commission of the Legislative Assembly consisting of:**

23 **(a) The following members of the Legislative Assembly:**

24 **(A) The chairpersons of the committees and subcommittees related to behavioral health**  
25 **in the House of Representatives and the Senate;**

26 **(B) The cochairpersons of the subcommittee of the Joint Committee on Ways and Means**  
27 **with authority over human services agencies' budgets;**

28 **(C) One member appointed by the Minority Leader of the House of Representatives; and**

29 **(D) One member appointed by the Minority Leader of the Senate;**

30 **(b) The director of the behavioral health programs administered by the Oregon Health**

**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 Authority, who shall serve ex officio as a nonvoting member of the commission; and

2 (c) Twelve members appointed jointly by the Speaker of the House of Representatives and  
 3 the President of the Senate, who shall represent a broad range of interests in the prevention  
 4 and treatment of behavioral health disorders and in the receipt of behavioral health treat-  
 5 ment in this state.

6 (2) The executive committee of the commission consists of the individuals described in  
 7 subsection (1)(a) and (b) of this section.

8 (3) The Speaker and the President shall select two members of the executive commission  
 9 to serve as cochairpersons of the commission on a rotating basis, with the duties and powers  
 10 necessary for the performance of the functions of the offices as the Speaker and the Presi-  
 11 dent determine.

12 (4) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
 13 ment to become immediately effective.

14 (5) The term of a member who is a chairperson or cochairperson of a committee or  
 15 subcommittee described in subsection (1)(a)(A) or (B) of this section shall expire when the  
 16 member no longer serves as chairperson or cochairperson.

17 (6) A member appointed by the Minority Leader of the House or of the Senate shall serve  
 18 during the term of the appointment or until discharged by the Minority Leader of the House  
 19 or of the Senate.

20 (7) The term of office of each member who is not a member of the Legislative Assembly  
 21 is four years, but a member serves at the pleasure of the Speaker and the President. A  
 22 member is eligible for reappointment.

23 (8) A majority of the voting members of the commission constitutes a quorum for the  
 24 transaction of business.

25 (9) Official action by the commission requires the approval of a majority of the voting  
 26 members of the commission.

27 (10) The commission shall meet at times and places specified by the call of the chair-  
 28 persons or of a majority of the voting members of the commission.

29 (11) The commission may adopt rules necessary for the operation of the commission.

30 (12) The commission has a continuing existence and may meet, act and conduct its  
 31 business during sessions of the Legislative Assembly or any recess of the Legislative As-  
 32 sembly and in the interim period between sessions.

33 (13) The Legislative Policy and Research Director:

34 (a) Shall provide staff support to the commission and may employ persons necessary for  
 35 the performance of the functions of the commission.

36 (b) Shall fix the duties and amounts of compensation of the employees.

37 (c) May contract with third parties to provide resources, data and support to the com-  
 38 mission on specific topics or to conduct analyses to inform the commission's work.

39 (14) The commission from time to time may appoint such advisory committees consisting  
 40 of members of the Legislative Assembly and others as are necessary to assist the commis-  
 41 sion in carrying out its functions as provided by law.

42 (15)(a) A member of the commission or of an advisory committee who is a member of the  
 43 Legislative Assembly shall be entitled to receive the per diem specified in ORS 171.072 from  
 44 funds appropriated to the Legislative Assembly for each day of performance of duties as a  
 45 commission or an advisory committee member.

1 (b) For a member who is not a member of the Legislative Assembly, the director may  
 2 pay the actual and necessary travel and other expenses incurred in the performance of the  
 3 member's official duties, as provided in ORS 292.495, to ensure the member's ability to serve  
 4 on the commission.

5 (16) Expenses incurred under this section are payable from funds appropriated or other-  
 6 wise available to the Legislative Policy and Research Committee.

7 (17) All agencies of state government, as defined in ORS 174.111, are directed to assist  
 8 the commission in the performance of the duties of the commission and, to the extent per-  
 9 mitted by laws relating to confidentiality, to furnish information and advice the members of  
 10 the commission consider necessary to perform their duties.

11 **SECTION 2.** The Behavioral Health Road Map Commission established in section 1 of this  
 12 2020 Act shall:

13 (1) Define the attributes of the ideal behavioral health care system for this state, in-  
 14 cluding preventive, therapeutic, maintenance and ancillary services provided by the system;

15 (2) Explicate the elements of the behavioral health care system as the system currently  
 16 exists in this state;

17 (3) Estimate current expenditures within the behavioral health care system by govern-  
 18 ment and private sources and identify the source of funding for the expenditures;

19 (4) Analyze and identify the components of the behavioral health care system that must  
 20 be added, reduced, increased or modified during the next decade to move closer to the ideal  
 21 behavioral health care system as defined by the commission under subsection (1) of this  
 22 section, including specifying the policies and fiscal priorities for the changes;

23 (5) Modify the attributes of the ideal behavioral health care system as appropriate and  
 24 update the analysis performed under subsection (4) of this section each biennium in time to  
 25 instruct the development of:

26 (a) The Governor's budget and the budget of the chairpersons of the Joint Committee on  
 27 Ways and Means;

28 (b) The Governor's policy agenda and the policy agendas of the chairs of the committees  
 29 and subcommittees of the Legislative Assembly related to mental and behavioral health for  
 30 the next following legislative session; and

31 (c) Recommendations for revenue proposals to support the budget and policy agendas;

32 (6) Highlight the workforce needs of the ideal behavioral health care system and the  
 33 particular needs of subgroups of Oregon residents who need behavioral health care in this  
 34 state;

35 (7) Create links from the Legislative Assembly to the planning and control functions of  
 36 the executive branch to potentiate intragovernmental collaboration;

37 (8) Define outcome measures to determine the extent to which the behavioral health care  
 38 system changes implemented by the Legislative Assembly at the commission's direction are  
 39 accomplishing the intended goals of the changes;

40 (9) Recommend specifications for data systems sufficiently robust to ensure the ability  
 41 of the commission to evaluate the progress of the reform measures implemented by the  
 42 Legislative Assembly at the commission's direction; and

43 (10) Report, no later than September 15 of each even-numbered year, to the interim  
 44 committees and subcommittees of the Legislative Assembly related to behavioral health  
 45 recommendations for legislative changes necessary to achieving the ideal behavioral health

1 care system defined by the commission under subsection (1) of this section.

2 **SECTION 3.** (1) Notwithstanding section 2 (10) of this 2020 Act, the Behavioral Health  
3 Road Map Commission established in section 1 of this 2020 Act shall:

4 (a) Make preliminary recommendations for the budget and policy agendas of the Gover-  
5 nor and the Legislative Assembly for the 2021 regular session of the Legislative Assembly  
6 no later than November 1, 2020.

7 (b) No later than September 15, 2022, recommend adjustments to state law and policy  
8 that are necessary to set the course for implementing future recommendations of the com-  
9 mission.

10 (2) The commission must be fully operational and perform all of the functions described  
11 in section 2 of this 2020 Act no later than January 2, 2023.

12 **SECTION 4.** Notwithstanding the term of office specified by section 1 of this 2020 Act,  
13 of the members first appointed to the Behavioral Health Road Map Commission who are not  
14 members of the Legislative Assembly:

15 (1) Three shall serve for a term ending June 30, 2021.

16 (2) One shall serve for a term ending June 30, 2022.

17 (3) One shall serve for a term ending June 30, 2023.

18 (4) Two shall serve for terms ending June 30, 2024.

19 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-  
20 ated to the Legislative Policy and Research Committee, for the biennium ending June 30,  
21 2021, out of the General Fund, the amount of \$\_\_\_\_\_, which may be expended for carrying  
22 out the duties and functions of the Legislative Policy and Research Director and the staff  
23 of the Legislative Policy and Research Committee described in sections 1 to 3 of this 2020  
24 Act.

25 **SECTION 6.** This 2020 Act being necessary for the immediate preservation of the public  
26 peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect  
27 on its passage.