House Bill 4082

Sponsored by Representative GREENLICK, Senator ROBLAN, Representatives NOSSE, HAYDEN, MITCHELL, SALINAS, WILLIAMS; Representatives ALONSO LEON, DRAZAN, HELM, HOLVEY, KENY-GUYER, LIVELY, MEER, 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

Relating to behavioral health; and declaring an emergency.

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

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

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

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

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

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

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

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

(a) The following members of the Legislative Assembly:

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

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

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

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

(b) The director of the behavioral health programs administered by the Oregon Health
Authority, who shall serve ex officio as a nonvoting member of the commission; and

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

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

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

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

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

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

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

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

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

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

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

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

(13) The Legislative Policy and Research Director:

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

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

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

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

(15)(a) A member of the commission or of an advisory committee who is a member of the
Legislative Assembly shall be entitled to receive the per diem specified in ORS 171.072 from
funds appropriated to the Legislative Assembly for each day of performance of duties as a
commission or an advisory committee member.
(b) For a member who is not a member of the Legislative Assembly, the director may pay the actual and necessary travel and other expenses incurred in the performance of the member's official duties, as provided in ORS 292.495, to ensure the member's ability to serve on the commission.

(16) Expenses incurred under this section are payable from funds appropriated or otherwise available to the Legislative Policy and Research Committee.

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

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

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

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

(3) Estimate current expenditures within the behavioral health care system by government and private sources and identify the source of funding for the expenditures;

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

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

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

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

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

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

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

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

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

(10) Report, no later than September 15 of each even-numbered year, to the interim committees and subcommittees of the Legislative Assembly related to behavioral health recommendations for legislative changes necessary to achieving the ideal behavioral health
care system defined by the commission under subsection (1) of this section.

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

(a) Make preliminary recommendations for the budget and policy agendas of the Governor and the Legislative Assembly for the 2021 regular session of the Legislative Assembly no later than November 1, 2020.

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

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

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

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

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

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

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

SECTION 5. In addition to and not in lieu of any other appropriation, there is appropriated to the Legislative Policy and Research Committee, for the biennium ending June 30, 2021, out of the General Fund, the amount of $______, which may be expended for carrying out the duties and functions of the Legislative Policy and Research Director and the staff of the Legislative Policy and Research Committee described in sections 1 to 3 of this 2020 Act.

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