

Requested by Representative SANCHEZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 4149**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 430.220, 430.221 and 430.223;”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) The Director of the Alcohol and Drug Policy
5 Commission shall work with the Director of the Oregon Health Au-
6 thority and the Deputy Superintendent of Public Instruction to de-
7 velop an intervention strategy to address substance use among
8 school-aged children and youth. The directors shall engage
9 stakeholders in the process used to develop the strategy.**

10 **“(2) No later than November 1, 2020, the directors shall report the
11 strategy developed under subsection (1) of this section to the Legisla-
12 tive Assembly in the manner provided in ORS 192.245.**

13 **“SECTION 2. (1) As used in this section, ‘recovery supports’ means
14 care and services that prevent harm to an individual with a substance
15 use disorder and assist the individual in successfully overcoming or
16 managing the individual’s disorder.**

17 **“(2) The Director of the Oregon Health Authority shall work with
18 the Alcohol and Drug Policy Commission to take an inventory of the
19 resources available in this state to address the prevention of, treat-
20 ment for and recovery from substance use disorders. To the greatest
21 extent practicable, the director shall take the inventory using previ-**

1 ously conducted studies, compilations and reports. The director may
2 enter into one or more contracts for portions of the work as necessary.

3 **“(3) The inventory must identify:**

4 **“(a) The types of recovery supports that are currently available;**

5 **“(b) The levels of recovery supports that are currently available;**

6 **“(c) The types, levels and quantities of recovery supports that are
7 necessary to meet the need for recovery supports in this state;**

8 **“(d) The barriers to providing the necessary levels of recovery sup-
9 ports;**

10 **“(e) Physical spaces, beds and services available for the treatment
11 of and recovery from substance use disorders, and how the spaces,
12 beds and services may be accessed; and**

13 **“(f) The available care and recovery supports specifically designed
14 for individuals who are at risk of relapsing and the services for indi-
15 viduals who experience adverse health, social or legal consequences
16 from the individuals’ substance use.**

17 **“(4) No later than November 1, 2020, the Director of the Alcohol and
18 Drug Policy Commission shall report the findings under this section,
19 in the manner provided in ORS 192.245, to the interim committees of
20 the Legislative Assembly related to mental and behavioral health.**

21 **“SECTION 3. ORS 430.220 is amended to read:**

22 **“430.220. (1) The Governor shall appoint a Director of the Alcohol and
23 Drug Policy Commission who shall serve at the pleasure of the Governor and
24 be responsible for the dissemination and implementation of the Alcohol and
25 Drug Policy Commission’s policies and the performance of the commission’s
26 duties, functions and powers.**

27 **“(2) The director shall be paid a salary as provided by law or, if not so
28 provided, as prescribed by the Governor.**

29 **“(3) Subject to ORS chapter 240, the director shall appoint all employees
30 of the commission, prescribe their duties and fix their compensation.**

1 “(4) The director has all powers necessary to effectively and expeditiously
2 carry out the duties, functions and powers of the commission.

3 “(5) The director shall enter into agreements with [*the Oregon Health*
4 *Authority, the Department of Justice, the Department of Human Services and*
5 *other state and local*] **participating state** agencies for the sharing of infor-
6 mation as necessary to carry out the duties of the commission. The agree-
7 ments shall ensure the confidentiality of all information that is protected
8 from disclosure by state and federal laws.

9 **“SECTION 4.** ORS 430.221 is amended to read:

10 “430.221. (1) As used in this section and ORS **430.220 and** 430.223:

11 “(a) ‘Participating state agency’ means the Department of Corrections, the
12 Department of Human Services, the Oregon Health Authority, the Depart-
13 ment of Education, the Oregon Criminal Justice Commission, the Oregon
14 State Police, the Oregon Youth Authority, [*or any other state agency that is*
15 *approved by the Alcohol and Drug Policy Commission to license, contract for,*
16 *provide or coordinate*] **the Department of Consumer and Business Ser-**
17 **vices, the Housing and Community Services Department, the Youth**
18 **Development Division, the Higher Education Coordinating Commis-**
19 **sion, the Oregon State Lottery, the Oregon Liquor Control Commis-**
20 **sion, the Department of Veterans’ Affairs or any state agency that**
21 **administers or funds** alcohol or drug abuse prevention, **recovery** or treat-
22 ment services.

23 “(b) ‘Provider’ means any person that is licensed by the Oregon Health
24 Authority to provide alcohol or drug abuse prevention or treatment services.

25 “(2) There is created the Alcohol and Drug Policy Commission, which is
26 charged with improving the effectiveness and efficiency of state and local
27 alcohol and drug abuse prevention and treatment services.

28 “(3) The membership of the commission consists of:

29 “(a) No more than 17 members appointed by the Governor, subject to
30 confirmation by the Senate in the manner prescribed in ORS 171.562 and

1 171.565 and appointed, as the Governor deems practicable, to ensure repre-
2 sentation from stakeholders directly impacted by the work of the commission,
3 as follows:

4 “(A) At least 75 percent of the members appointed by the Governor must
5 be representatives of the following public health and health care stakeholder
6 groups:

7 “(i) County commissioners, managers and administrators;

8 “(ii) Indian tribes;

9 “(iii) The following providers of addiction prevention and recovery ser-
10 vices:

11 “(I) Treatment providers employed by an outpatient addiction treatment
12 program;

13 “(II) Directors of inpatient addiction treatment centers;

14 “(III) Addiction treatment providers who are culturally competent to
15 serve specific cultural or ethnic populations;

16 “(IV) Certified prevention specialists;

17 “(V) Certified addiction counselors; and

18 “(VI) Certified addiction recovery mentors;

19 “(iv) Alcohol or drug treatment researchers or epidemiologists;

20 “(v) The health insurance industry or hospitals;

21 “(vi) Consumers of addiction recovery services who are in recovery and
22 the family members of consumers;

23 “(vii) Experts in addiction medicine;

24 “(viii) Entities that provide housing to individuals who are in recovery;
25 and

26 “(ix) Social service providers.

27 “(B) Up to 25 percent of the members appointed by the Governor shall
28 be representatives of one or more of the following stakeholder groups:

29 “(i) District attorneys.

30 “(ii) County sheriffs.

1 “(iii) Chiefs of police.

2 “(iv) Criminal defense attorneys.

3 “(v) County community corrections agencies.

4 “(b) Two members of the Legislative Assembly appointed to the commis-
5 sion as nonvoting members of the commission, acting in an advisory capacity
6 only and including:

7 “(A) One member from among members of the Senate appointed by the
8 President of the Senate; and

9 “(B) One member from among members of the House of Representatives
10 appointed by the Speaker of the House of Representatives.

11 “(c) A judge of a circuit court appointed to the commission as a nonvoting
12 member by the Chief Justice of the Supreme Court.

13 “(d) The director of the behavioral health program of the Oregon Health
14 Authority as a nonvoting member.

15 “(e) A representative of a coordinated care organization appointed to the
16 commission as a nonvoting member by the Governor.

17 “(4) The Alcohol and Drug Policy Commission shall select one of its
18 members as chairperson and another as vice chairperson, for such terms and
19 with duties and powers necessary for the performance of the functions of
20 such offices as the commission determines.

21 “(5)(a) A majority of the voting members of the commission constitutes
22 a quorum for the transaction of business.

23 “(b) If a member of the commission is absent for more than two consec-
24 utive scheduled meetings of the commission, the Director of the Alcohol and
25 Drug Policy Commission appointed under ORS 430.220 may recommend to the
26 Governor that the member be replaced.

27 “(6) Official action of the commission requires the approval of a majority
28 of a quorum.

29 “(7) The commission may establish a steering committee and subcommit-
30 tees. These committees may be continuing or temporary. A person who is not

1 a member of the commission may be appointed by the commission to serve
2 on a subcommittee. The commission shall appoint subcommittee members to
3 ensure representation from all stakeholders directly impacted by the work
4 of the commission.

5 “(8) The term of office of each commission member appointed by the
6 Governor is four years, but a member serves at the pleasure of the Governor.
7 If there is a vacancy for any cause, the Governor shall make an appointment
8 to become immediately effective.

9 “(9) The Oregon Health Authority shall provide staff support to the
10 commission. Subject to available funding, the commission may contract with
11 a public or private entity to provide staff support.

12 “(10) Members of the commission who are not members of the Legislative
13 Assembly are entitled to compensation and expenses incurred by them in the
14 performance of their official duties in the manner and amounts provided for
15 in ORS 292.495. Claims for compensation and expenses shall be paid out of
16 funds appropriated to the Oregon Health Authority or funds appropriated to
17 the commission for purposes of the commission.

18 **“SECTION 5.** ORS 430.223 is amended to read

19 “430.223 (1) For purposes of this section, ‘program’ means a state, local
20 or tribal alcohol and drug abuse prevention and treatment program.

21 “(2) The Alcohol and Drug Policy Commission established under ORS
22 430.221 shall develop a comprehensive addiction, prevention, treatment and
23 recovery plan for this state. The plan must include, but is not limited to,
24 recommendations regarding:

25 “(a) Capacity, type and utilization of programs;

26 “(b) Methods to assess the effectiveness and performance of programs;

27 “(c) The best use of existing programs;

28 “(d) Budget policy priorities for participating state agencies;

29 “(e) Standards for licensing programs;

30 “(f) Minimum standards for contracting for, providing and coordinating

1 alcohol and drug abuse prevention and treatment services among programs
2 that use federal, private or state funds administered by the state; and

3 “(g) The most effective and efficient use of participating state agency re-
4 sources to support programs.

5 “**(3) All participating state agencies shall:**

6 “**(a) Meet with the commission on a quarterly basis to review and**
7 **report on each agency’s progress on implementing the plan; and**

8 “**(b) Report to the commission, in the manner prescribed by the**
9 **commission, each agency’s process and outcome measures established**
10 **under the plan.**

11 “[3] **(4) The commission shall review and update the plan** [*developed*
12 *under subsection (2) of this section*] no later than July 1 of each even-
13 numbered year [*beginning July 1, 2020*] **and shall produce and publish a**
14 **report on the metrics and other indicators of progress in achieving the**
15 **goals of the plan.**

16 “[4] **(5) The commission may:**

17 “**(a) Conduct studies related to the duties of the commission in collab-**
18 **oration with other state agencies;**

19 “**(b) Apply for and receive gifts and grants for public and private sources;**
20 **and**

21 “**(c) Use funds received by the commission to carry out the purposes of**
22 **ORS 430.220 and 430.221 and this section.**

23 “[5] **(6) All participating state agencies and local agencies shall assist**
24 **the commission in developing the comprehensive addiction, prevention,**
25 **treatment and recovery plan.**

26 “[6] **(7) The commission may adopt rules to carry out its duties under**
27 **this section.**

28 “**SECTION 6. ORS 430.223, as amended by section 7, chapter 44, Oregon**
29 **Laws 2018, and section 3, chapter 54, Oregon Laws 2019, is amended to read:**

30 “430.223. (1) For purposes of this section, ‘program’ means a state, local

1 or tribal alcohol and drug abuse prevention and treatment program.

2 “(2) The Alcohol and Drug Policy Commission established under ORS
3 430.221 shall develop a comprehensive addiction, prevention, treatment and
4 recovery plan for this state. The plan must include, but is not limited to,
5 recommendations regarding:

6 “(a) Capacity, type and utilization of programs;

7 “(b) Methods to assess the effectiveness and performance of programs;

8 “(c) The best use of existing programs;

9 “(d) Budget policy priorities for participating state agencies;

10 “(e) Standards for licensing programs;

11 “(f) Minimum standards for contracting for, providing and coordinating
12 alcohol and drug abuse prevention and treatment services among programs
13 that use federal, private or state funds administered by the state; and

14 “(g) The most effective and efficient use of participating state agency re-
15 sources to support programs.

16 **“(3) All participating state agencies shall:**

17 **“(a) Meet with the commission on a quarterly basis to review and**
18 **report on each agency’s progress on implementing the plan; and**

19 **“(b) Report to the commission, in the manner prescribed by the**
20 **commission, each agency’s process and outcome measures established**
21 **under the plan.**

22 “[3] (4) The commission shall review and update the plan [*developed*
23 *under subsection (2) of this section*] no later than July 1 of each even-
24 numbered year **and shall produce and publish a report on the metrics**
25 **and other indicators of progress in achieving the goals of the plan.**

26 “[4] (5) The commission may:

27 “(a) Conduct studies related to the duties of the commission in collab-
28 oration with other state agencies;

29 “(b) Apply for and receive gifts and grants for public and private sources;

30 and

1 “(c) Use funds received by the commission to carry out the purposes of
2 ORS 430.220 and 430.221 and this section.

3 “~~[(5)]~~ **(6)** All **participating** state **agencies** and local agencies shall assist
4 the commission in developing the comprehensive addiction, prevention,
5 treatment and recovery plan.

6 “~~[(6)]~~ **(7)** The commission may adopt rules to carry out its duties under
7 this section.

8 “**SECTION 7. In addition to and not in lieu of any other appropri-**
9 **ation, there is appropriated to the Alcohol and Drug Policy Commis-**
10 **sion, for the biennium ending June 30, 2021, out of the General Fund,**
11 **the amount of \$200,000, which may be expended for carrying out**
12 **sections 1 and 2 of this 2020 Act.**

13 “**SECTION 8. Sections 1 and 2 of this 2020 Act are repealed on Jan-**
14 **uary 2, 2022.”.**

15 In line 9, delete “3” and insert “9”.

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