

DRAFT

SUMMARY

Creates qualified mental health associate incentive program within Oregon Health Authority. Appropriates moneys from General Fund to authority for purpose of providing loan repayment subsidies through program to qualified mental health associates serving children in child-caring agencies.

Directs Department of Human Services to develop and administer qualified mental health associate apprenticeship program. Prescribes certain educational and training requirements for persons to serve as qualified mental health associates assisting child-caring agencies. Appropriates moneys from General Fund to department, Bureau of Labor and Industries and Oregon Health Authority for apprenticeship program.

Establishes Child Welfare Cultural Equity Program within Department of Human Services to connect children served by department with child welfare service providers who meet children's cultural diversity needs. Appropriates moneys from General Fund to department for program.

Directs Department of Human Services to conduct comprehensive review of child welfare service provider rate structures and submit report to interim committees of Legislative Assembly related to human services.

Directs Oregon Health Authority to conduct biennial nursing market study. Directs authority to consider results of most recent study when making annual adjustments to Medicaid reimbursement rates for providers of children's intensive in-home services.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to child welfare; creating new provisions; amending ORS 676.450; and prescribing an effective date.

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

QUALIFIED MENTAL HEALTH ASSOCIATES

(Student Loan Forgiveness)

SECTION 1. (1) There is created in the Oregon Health Authority a qualified mental health associate incentive program for the purpose of providing loan repayment subsidies to qualified mental health associates who commit to serving children in child-caring agencies in this state. The authority shall prescribe by rule:

(a) Participant eligibility criteria, including the types of qualified mental health associates who may participate in the program;

(b) The terms and conditions of participation in the program, including the duration of the term of any service agreement, which must be at least 24 months;

(c) If the funds allocated to the program from the Health Care Provider Incentive Fund established under ORS 676.450 are insufficient to provide assistance to all applicants who are eligible to participate in the program, the priority for the distribution of funds; and

(d) The financial penalties imposed on an individual who fails to comply with the terms and conditions of participation.

(2) Eligibility criteria adopted for the program:

(a) Must allow qualified mental health associates to qualify for an incentive for multiyear periods.

(b) Must give preference to applicants:

(A) Who have been recruited through the Child Welfare Cultural Equity Program established under section 6 of this 2022 Act, or who are participants or graduates of the qualified mental health associate apprenticeship program described in section 3 of this 2022 Act;

(B) Who commit to serving for a minimum of four years with a child-caring agency that provides care to children receiving child welfare services from the Department of Human Services or children who have been referred by state or local agencies or coordinated care organizations; or

1 (C) Who meet specific needs identified by a child-caring agency.

2 (3) The authority may enter into contracts with one or more public
3 or private entities to administer the qualified mental health associate
4 incentive program or parts of the program.

5 (4) The authority may receive gifts, grants or contributions from
6 any source, whether public or private, to carry out the provisions of
7 this section. Moneys received under this subsection shall be deposited
8 in the Health Care Provider Incentive Fund established under ORS
9 676.450.

10 (5) As used in this section, “child-caring agency” has the meaning
11 given that term in ORS 418.205.

12 **SECTION 2.** ORS 676.450 is amended to read:

13 676.450. The Health Care Provider Incentive Fund is established in the
14 State Treasury, separate and distinct from the General Fund. Interest earned
15 by the Health Care Provider Incentive Fund shall be credited to the fund.
16 The fund consists of moneys appropriated to the fund by the Legislative As-
17 sembly and gifts, grants or other moneys contributed to the fund by any
18 source, whether public or private. Moneys in the fund are continuously ap-
19 propriated to the Oregon Health Authority to carry out ORS 676.454 and
20 676.467 and section 1 of this 2022 Act.

21
22 (Apprenticeship Program)
23

24 **SECTION 3.** (1)(a) The Department of Human Services, in collab-
25 oration with the State Apprenticeship and Training Council and the
26 Oregon Health Authority, shall develop and administer a qualified
27 mental health associate apprenticeship program in conformity with
28 ORS 660.002 to 660.210 to provide occupational skill training for, at a
29 minimum, 24 qualified mental health associates each biennium.

30 (b) In adopting any rules for carrying out the qualified mental
31 health associate apprenticeship program, the department shall consult

1 with representatives of child-caring agencies.

2 (c) Child-caring agencies shall cooperate with the department and
3 the State Director of Apprenticeship and Training through the appli-
4 cable apprenticeship committee to develop training guidelines consist-
5 ent with standards for qualified mental health associates.

6 (2) A child-caring agency may allow a person to serve as a qualified
7 mental health associate designated to assist the child-caring agency
8 if the person:

9 (a) Provides the child-caring agency with documentation showing
10 that the person has completed an educational program for qualified
11 mental health associates that is accredited by a national accreditation
12 organization approved by the Oregon Health Authority or the Depart-
13 ment of Human Services by rule;

14 (b) Is actively enrolled in, or has completed, the apprenticeship
15 program described in subsection (1) of this section or a comparable
16 apprenticeship program identified by the authority by rule;

17 (c) Provides the child-caring agency with documentation showing
18 that the person has completed a training program identified by the
19 authority by rule; and

20 (d) Every two years completes 16 hours of continuing education
21 approved by the authority.

22 (3) As used in this section, “child-caring agency” has the meaning
23 given that term in ORS 418.205.

24 SECTION 4. The Department of Human Services and the Bureau
25 of Labor and Industries may apply for and obtain gifts and grants of
26 money from any public or private source for the use and benefit of the
27 qualified mental health associate apprenticeship program described in
28 section 3 of this 2022 Act and shall expend funds received in accordance
29 with the terms of such gifts and grants.

30 SECTION 5. The Department of Human Services, in collaboration
31 with the Bureau of Labor and Industries and the Oregon Health Au-

thority, shall study issues related to the implementation of the qualified mental health associate apprenticeship program described in section 3 of this 2022 Act, including necessary funding requirements, and shall report, in the manner provided by ORS 192.245, the results of the study to the interim committees of the Legislative Assembly related to human services, no later than September 15, 2022.

WORKFORCE DIVERSITY

SECTION 6. (1) The Child Welfare Cultural Equity Program is established within the Department of Human Services. The purpose of the program is to ensure access to a diverse set of child welfare service providers consistent with the cultural diversity needs of the population being served.

(2) Under the program, the department may develop, or contract with nonprofit organizations to assist in the development of:

(a) Methods for determining the cultural diversity needs of the children receiving child welfare services from the department;

(b) Methods for incentivizing the recruitment and retention of a diverse set of child welfare service providers; and

(c) Best practices for connecting a child served by the department with child welfare service providers who meet the child's cultural diversity needs.

(3) The department may adopt rules to implement and carry out the provisions of this section.

CHILD WELFARE SERVICE PROVIDER COMPENSATION

SECTION 7. (1) The Department of Human Services shall conduct a comprehensive review of child welfare service provider rate structures.

(2) The department shall submit a report to the interim committees of the Legislative Assembly related to human services, in the manner provided in ORS 192.245, no later than September 15, 2022. The report must include the department's findings from the review conducted under subsection (1) of this section and recommendations for updates to the rate structures that the department determines are necessary to promote long-term workforce sustainability.

SECTION 8. (1) At least once each biennium, the Oregon Health Authority shall conduct a nursing market study for the purpose of determining the appropriate Medicaid reimbursement rates for providers of children's intensive in-home services.

(2) No later than July 1 of each year, the authority shall adjust the Medicaid reimbursement rates for providers of children's intensive in-home services, taking into consideration the results of the most recent study conducted under subsection (1) of this section and applying a cost-of-living adjustment, as determined on an annual basis by the authority by rule.

(3) As used in this section, "intensive in-home services" has the meaning given that term in ORS 418.575.

SECTION 9. The Oregon Health Authority shall first adjust the Medicaid reimbursement rates described in section 8 of this 2022 Act no later than July 1, 2023, and every July 1 thereafter.

APPROPRIATIONS

SECTION 10. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium ending June 30, 2023, out of the General Fund, the amount of \$250,000, for deposit in the Health Care Provider Incentive Fund established in ORS 676.450, and which may be expended for the purpose of providing loan repayment subsidies to qualified mental health as-

sociates participating in the qualified mental health associate incentive program under section 1 of this 2022 Act.

(2) In addition to and not in lieu of any other appropriation, the following amounts are appropriated for the biennium ending June 30, 2023, out of the General Fund, for the purpose of establishing and administering the qualified mental health associate apprenticeship program as provided in sections 3 to 5 of this 2022 Act:

(a) \$90,000 to the Bureau of Labor and Industries.

(b) \$60,000 to the Oregon Health Authority.

(c) \$90,000 to the Department of Human Services.

(3) In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium ending June 30, 2023, out of the General Fund, the amount of \$250,000 for the purpose of carrying out the provisions of section 6 of this 2022 Act.

REPEALS

SECTION 11. Sections 5 and 7 of this 2022 Act are repealed on January 2, 2023.

CAPTIONS

SECTION 12. The unit captions used in this 2022 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2022 Act.

EFFECTIVE DATE

SECTION 13. This 2022 Act takes effect on the 91st day after the

1 **date on which the 2022 regular session of the Eighty-first Legislative**
2 **Assembly adjourns sine die.**

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