

# D R A F T

## SUMMARY

Modifies charge to and member appointment process for Consumer Advisory Council that assists and advises Director of Oregon Health Authority on mental health and substance use disorder services.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to the Consumer Advisory Council; amending ORS 430.071 and  
3 430.073; and prescribing an effective date.

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

5 **SECTION 1.** ORS 430.071 is amended to read:

6 430.071. The Oregon Health Authority shall adopt [*a policy*] **policies** that  
7 [*supports and promotes*] **support and promote** self-determination for persons  
8 receiving mental health **and substance use disorder** services. The [*policy*]  
9 **policies** shall be designed to remove barriers that:

10 (1) Segregate persons with disabilities from full participation in the com-  
11 munity in the most integrated setting in accordance with the United States  
12 Supreme Court decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999); and

13 (2) Prevent persons with disabilities from enjoying a meaningful life, the  
14 benefits of community involvement and citizen rights guaranteed by law.

15 **SECTION 2.** ORS 430.073 is amended to read:

16 430.073. (1) As used in this section and ORS 430.075, “consumer” means  
17 a person who has received or is receiving mental health or [*addiction*] **sub-**  
18 **stance use disorder** services.

19 (2) **Consistent with the principles embodied in ORS 430.071 to sup-**  
20 **port and promote self-determination for persons receiving mental**

1 **health or substance use disorder services**, the Director of the Oregon  
2 Health Authority shall [*establish*] **maintain** a Consumer Advisory Council  
3 to:

4 (a) Advise the director on the provision of mental health **and substance**  
5 **use disorder** services by the Oregon Health Authority.

6 (b) [*The council may*] Review, evaluate and provide feedback on all site  
7 reviews related to mental health **and substance use disorder** services pro-  
8 vided by the authority.

9 (c) **Review and approve policy proposals developed in accordance**  
10 **with ORS 430.071.**

11 (d) **Make recommendations for policies in accordance with ORS**  
12 **430.071.**

13 (e) **Provide useful perspectives and experiences.**

14 (f) **Communicate concerns, emergency needs or general conditions**  
15 **related to the delivery of mental health and substance use disorder**  
16 **services.**

17 (3) The director shall appoint 15 to 25 consumers to the council **from a**  
18 **list of candidates submitted by:**

19 (a) **Existing consumers on the council; or**

20 (b) **A seven-person committee, appointed by the members of the**  
21 **council, consisting of individuals who represent independent**  
22 **consumer-run organizations, consumer-run advocacy organizations**  
23 **and consumer-operated advisory councils that are active or headquar-**  
24 **tered in this state.**

25 (4) In making appointments **to the council**, the director shall strive to  
26 balance the representation according to geographic areas of the state, race,  
27 ethnicity and age.

28 (5) **The council may convene cooperative workgroups and conduct**  
29 **fact-finding.**

30 [(4)] (6) The authority shall provide administrative support to the council.

31 [(5)] (7) A member of the council is entitled to compensation in an amount

1 determined by the director and to actual and necessary travel expenses in-  
2 curred by the member in the performance of the member's official duties.  
3 Claims for compensation and expenses shall be paid out of funds appropri-  
4 ated to the authority for purposes of the council.

5 **SECTION 3. This 2021 Act takes effect on the 91st day after the date**  
6 **on which the 2021 regular session of the Eighty-first Legislative As-**  
7 **sembly adjourns sine die.**

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