

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 358 - A**

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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Date: March 11, 2021

**Measure Description:**

Changes authorization to practice for behavior analysis interventionists from registration to licensure.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA)

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Analysis:**

SB 358 - A pertains to the Behavior Analysis Regulatory Board. This measure adds registered behavior analysis interventionists to the list of allowable providers for covered treatment of autism spectrum disorder. This measure allows a minor 14 years of age or older to obtain outpatient treatment of a mental or emotional disorder, or a chemical dependency (excluding methadone maintenance) from a licensed behavior or assistant behavior analyst, or a registered behavior analysis interventionist, without parental notice or consent. Licensed behavior or assistant behavior analysts, and registered behavior analysis interventionists, are added to the list of mandatory reporters of child abuse, and the Behavior Analysis Regulatory Board is added to the list of licensing boards required to maintain certain reporting and investigation requirements. Additionally, this measure pushes back the sunset date of Section 2, chapter 771, Oregon Laws 2013, from January 2, 2022 to January 2, 2030. This measure is operative January 1, 2022.

There is no or minimal fiscal impact to the Oregon Health Authority (OHA) as a result of this measure. However, under current law, the insurers for the Public Employees’ Benefit Board (PEBB) and the Oregon Educators Benefit Board (OEBB) are required to provide coverage for screening, diagnosis, and treatment for autism spectrum disorder, including applied behavior analysis for up to 25 hours per week and any other mental health or medical services that are part of an individualized treatment plan; this requirement is included in Section 2, chapter 771, Oregon Laws 2013. If this measure were to pass, this treatment would be covered until January 2, 2030. Should this bill not pass, this coverage would sunset January 2, 2022.

Were this measure not to pass, PEBB and OEBB would see combined savings of approximately \$1,751,325 Other Funds in the 2021-23 biennium and \$2,335,100 Other Funds in the 2023-25 biennium based on lower premiums, since insurers would no longer be required to cover certain treatment. Costs related to PEBB impact the premiums paid by state agencies and universities, and the costs for OEBB primarily impact the premiums paid by the K-12 school system.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact.