

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3035

By JOINT COMMITTEE ON WAYS AND MEANS

June 18

1 On page 1 of the printed A-engrossed bill, delete lines 11 through 20 and delete pages 2 through
2 4 and insert:

3 **“SECTION 1. (1) The Task Force on Corrections Medical Care is established.**

4 **“(2)(a) The task force consists of 11 members appointed as follows:**

5 **“(A) The Governor shall appoint five members with the following qualifications:**

6 **“(i) At least one member must be a substance use disorder or mental health care**
7 **clinician.**

8 **“(ii) At least one member must be a primary care clinician who serves Medicaid patients.**

9 **“(iii) At least two members must have been adults in custody, or family members of**
10 **adults in custody, who received medical care while in the custody of the Department of**
11 **Corrections.**

12 **“(B) The President of the Senate shall appoint two members from among members of the**
13 **Senate.**

14 **“(C) The Speaker of the House of Representatives shall appoint two members from**
15 **among members of the House of Representatives.**

16 **“(D) The Director of the Department of Corrections shall appoint two members repre-**
17 **senting the medical staff of the department.**

18 **“(b) The Corrections Ombudsman as described in ORS 423.400 shall serve as an ex officio**
19 **nonvoting member of the task force and is not considered a member for the purposes of this**
20 **subsection.**

21 **“(3) The task force shall:**

22 **“(a) Conduct a review of the process by which adults in Department of Corrections cus-**
23 **tody file grievances concerning access to and the provision of medical care to determine the**
24 **level of accountability and transparency the process provides to adults in custody and the**
25 **interests of the state and whether the process conforms with the right of adults in custody**
26 **to community-level medical care.**

27 **“(b) Conduct a review of the current medical care standards of care in the department**
28 **to determine whether the standards align with the right of adults in custody to community-**
29 **level medical care. The report resulting from the review must include a recommended pri-**
30 **oritized list of medical care, including mental and oral health and similar to the Medicaid**
31 **prioritization list, that meets community standards. The report must further include the**
32 **recommendation of meaningful access timelines for each type of care that must be equitably**
33 **available to all adults in custody in all department facilities.**

34 **“(c) Review timelines and goals for the adoption of an electronic health records system**
35 **by the department. The task force shall review the current adoption timeline and process to**

1 ensure appropriate goals, timelines and outcomes are being achieved, with the priority being
2 expedited adoption of the platform most able to improve continuity of care with community
3 practitioners, the seamless sharing of records and the ability for outcomes and services to
4 be reported to the public.

5 “(4) A majority of the voting members of the task force constitutes a quorum for the
6 transaction of business.

7 “(5) Official action by the task force requires the approval of a majority of the voting
8 members of the task force.

9 “(6) The task force shall elect one of its members to serve as chairperson.

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

12 “(8) The task force shall meet at times and places specified by the call of the chairperson
13 or of a majority of the voting members of the task force.

14 “(9) The task force may adopt rules necessary for the operation of the task force.

15 “(10)(a) The task force shall submit a report in the manner provided by ORS 192.245, and
16 may include recommendations for legislation, to the interim committees of the Legislative
17 Assembly related to health and the judiciary no later than September 15, 2022.

18 “(b) No later than September 15, 2022, the task force shall provide the recommendations
19 described in subsection (3)(b) of this section to the Department of Corrections, and the de-
20 partment shall publish the recommendations on the website of the department.

21 “(11) The Legislative Policy and Research Director shall provide staff support to the task
22 force.

23 “(12) Members of the Legislative Assembly appointed to the task force are nonvoting
24 members of the task force and may act in an advisory capacity only.

25 “(13) Members of the task force who are not members of the Legislative Assembly are
26 not entitled to compensation or reimbursement for expenses and serve as volunteers on the
27 task force.

28 “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist
29 the task force in the performance of the duties of the task force and, to the extent permitted
30 by laws relating to confidentiality, to furnish information and advice the members of the task
31 force consider necessary to perform their duties.

32 “SECTION 2. (1) Beginning no later than December 31, 2021, and every six months
33 thereafter, the Department of Corrections shall report to the interim committees of the
34 Legislative Assembly related to the judiciary and health care, in the manner provided under
35 ORS 192.245, the following information:

36 “(a) Progress on the adoption of an electronic health records system;

37 “(b) The number of grievances filed by adults in custody concerning the provision of
38 medical care;

39 “(c) The medical services available to adults in custody within department facilities; and

40 “(d) If applicable, the progress and impact of a department program that assigns health
41 care navigators to adults in custody.

42 “(2) No later than December 31, 2022, the Department of Corrections, in consultation
43 with the Oregon Health Authority, shall report to the interim committees of the Legislative
44 Assembly related to the judiciary and health care, in the manner provided under ORS 192.245,
45 health outcomes concerning all adults in the custody of the department, including health

1 trends and any information the department determines relevant to the effectiveness of the
2 work of the Task Force on Corrections Medical Care described in section 1 of this 2021 Act
3 and, if applicable, any department program in which health care navigators are assigned to
4 adults in custody.

5 “SECTION 3. Sections 1 and 2 of this 2021 Act are repealed on June 30, 2023.

6 “SECTION 4. This 2021 Act being necessary for the immediate preservation of the public
7 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
8 July 1, 2021.”

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