

HOUSE AMENDMENTS TO HOUSE BILL 3035

By COMMITTEE ON JUDICIARY

April 7

1 On page 1 of the printed bill, line 2, after “custody” insert “; and declaring an emergency”.

2 Delete lines 11 through 28 and delete pages 2 through 4 and insert:

3 **“SECTION 1. (1) The Department of Corrections and the Oregon Health Authority shall**
4 **establish a healthcare navigator pilot program within the Coffee Creek Correctional Facility**
5 **as described in this section.**

6 **“(2)(a) No later than 90 days after the effective date of this 2021 Act, the department, in**
7 **consultation with the authority, shall by rule develop a health assessment for persons en-**
8 **tering the Coffee Creek Correctional Facility for the purposes of serving a sentence within**
9 **the facility. The assessment must result in each assessed person receiving a health risk**
10 **score and a classification of the score as low, moderate or high risk. The department shall**
11 **post a link to the assessment on the website of the department.**

12 **“(b) No later than 90 days after the effective date of this 2021 Act, the department shall**
13 **ensure that the medical records of all adults in custody of the Coffee Creek Correctional**
14 **Facility are made available through the Oregon Community Health Information Network**
15 **platform or other equivalent electronic medical records platform.**

16 **“(3)(a) The authority shall establish healthcare navigator positions for employment**
17 **within the Coffee Creek Correctional Facility.**

18 **“(b) A person hired as a healthcare navigator must have knowledge of health care sys-**
19 **tems and must be a personal health navigator as defined in ORS 414.025.**

20 **“(c) Healthcare navigators are not employees of the Department of Corrections but, in**
21 **order to perform their duties under this section, shall be provided with access to the Coffee**
22 **Creek Correctional Facility necessary to fulfill all duties of the position, including the ability**
23 **to access all medical records of adults in custody assigned to the navigator and the oppor-**
24 **tunity to speak privately with an adult in custody assigned to the navigator.**

25 **“(d) The salaries of healthcare navigators shall be paid by the authority.**

26 **“(4)(a) No later than two business days after a person enters the custody of the Coffee**
27 **Creek Correctional Facility for the purpose of serving a sentence at the facility, the depart-**
28 **ment shall:**

29 **“(A) Assess the person using the health assessment described in subsection (2) of this**
30 **section;**

31 **“(B) Address any immediate medical needs, including the administration of medication;**
32 **and**

33 **“(C) Contact the primary health care provider of the person, as identified by the person,**
34 **for the purpose of notifying the provider of the transfer of care and to request medical re-**
35 **ords for the purpose of continuity of care.**

1 “(b) An adult in custody serving a sentence at the Coffee Creek Correctional Facility who
2 was not assessed under paragraph (a) of this subsection may request to be assessed using
3 the health assessment described in subsection (2) of this section. The department shall ac-
4 knowledge receipt of the request within five business days of the date of the request and
5 shall ensure that the assessment is completed in order of medical urgency and within a
6 reasonable timeline determined by the department by rule.

7 “(c) Healthcare navigators shall assist the persons described in paragraphs (a) and (b)
8 of this subsection with the intake and assessment processes.

9 “(5)(a) The department shall assign a healthcare navigator to any adult in custody who
10 receives a health risk score classified as high risk or moderate risk as the result of a health
11 assessment conducted under subsection (4) of this section.

12 “(b) A healthcare navigator assigned to an adult in custody under this subsection shall:

13 “(A) Assist the adult in custody with the coordination of health care during times of
14 transition between department custody and the community, with a focus on maintaining
15 continuity of high-quality health care;

16 “(B) Assist the adult in custody with obtaining medical care, including advocating for
17 care when necessary;

18 “(C) Maintain a consistent relationship with the adult in custody as long as the adult in
19 custody is housed within the Coffee Creek Correctional Facility; and

20 “(D) Coordinate with community health care providers after release of the adult in cus-
21 tody, which may include assistance with scheduling appointments and obtaining pre-
22 scriptions, if the adult in custody is released.

23 “(6) When providing medical, mental health and substance use disorder care to adults in
24 custody at the Coffee Creek Correctional Facility, the department shall:

25 “(a) Provide care that is medically appropriate and that meets or exceeds recognized
26 standards in the medical community;

27 “(b) Provide full-spectrum reproductive and gender-affirming care;

28 “(c) Ensure that a healthcare navigator assigned to an adult in custody is aware of the
29 care plan for the adult in custody in a timely and effective manner;

30 “(d) Ensure the coordination and continuation of care throughout the time the adult is
31 in the custody of the facility; and

32 “(e) Ensure continuity of care with medical and mental health care the adult in custody
33 previously received in the community, including the provision of medically equivalent treat-
34 ment consistent with treatment the adult in custody was receiving in the community.

35 “(7)(a) If the healthcare navigator assigned to an adult in custody determines that the
36 adult in custody is not receiving adequate access to health care that meets the medical needs
37 of the adult in custody, the healthcare navigator shall provide the adult in custody with in-
38 formation on filing an appeal under paragraph (b) of this subsection.

39 “(b) The department shall, in consultation with the authority, by rule establish a process
40 by which adults in custody may appeal decisions made by department medical staff con-
41 cerning medical care.

42 “(c) The department shall provide on the website of the department deidentified infor-
43 mation concerning appeals filed under this subsection, including the number of current ac-
44 tive appeals and, for each resolved appeal, the outcome.

45 “(8) Upon the release of an adult in custody from the Coffee Creek Correctional Facility,

1 the department, with the assistance of the healthcare navigator assigned to the adult in
2 custody, shall:

3 “(a) Ensure that the adult in custody is offered a full copy, either in paper or electronic
4 format, of all medical records of the adult in custody that are in the possession of the de-
5 partment; and

6 “(b) Verify that all medical records of the adult in custody are readable in Care Every-
7 where or a comparable health information exchange system.

8 “(9) The department shall, at least quarterly, anonymously survey participants in the
9 healthcare navigator pilot program described in this section for the purposes of reporting
10 under section 2 of this 2021 Act.

11 “(10)(a) The department, in consultation with the authority, may adopt rules to carry out
12 the provisions of this section.

13 “(b) The authority may adopt rules concerning the hiring and employment of healthcare
14 navigators under this section.

15 “SECTION 2. (1) Beginning no later than December 31, 2021, and every six months
16 thereafter, the Department of Corrections shall report to the interim committees of the
17 Legislative Assembly related to the judiciary and health care, in the manner provided under
18 ORS 192.245, the following deidentified and disaggregated data concerning all adults in the
19 custody of the department:

20 “(a) Life expectancy;

21 “(b) Obesity rates;

22 “(c) Vaccination rates;

23 “(d) Sexually transmitted disease infection rates;

24 “(e) Substance use disorder rates;

25 “(f) Suicide attempts and completions;

26 “(g) Rates of maternal mortality and severe maternal morbidity, as those terms are de-
27 fined in ORS 432.600;

28 “(h) Infant mortality rates; and

29 “(i) Any other data specified by rule under subsection (2) of this section.

30 “(2) The Department of Corrections, in consultation with the Oregon Health Authority,
31 shall adopt rules specifying additional data to be reported by the department under sub-
32 section (1) of this section.

33 “(3) Beginning no later than December 31, 2021, and each year thereafter, the Depart-
34 ment of Corrections, in consultation with the Oregon Health Authority, shall report to the
35 interim committees of the Legislative Assembly related to the judiciary and health care, in
36 the manner provided under ORS 192.245, health outcomes concerning all adults in the cus-
37 tody of the department, including health trends and any information the department deter-
38 mines relevant to the effectiveness of the healthcare navigator pilot program described in
39 section 1 of this 2021 Act.

40 “(4) Beginning no later than March 31, 2022, and at least quarterly thereafter, the De-
41 partment of Corrections shall provide to the committees of the Legislative Assembly related
42 to the judiciary and health care, in the manner provided under ORS 192.245, a report on the
43 survey of participants in the healthcare navigator pilot program described in section 1 (9)
44 of this 2021 Act.

45 “SECTION 3. In addition to and not in lieu of any other appropriation, there is appro-

1 **priated to the Oregon Health Authority, for the biennium beginning July 1, 2021, out of the**
2 **General Fund, the amount of \$_____ , for the purposes of funding healthcare navigator**
3 **positions under section 1 of this 2021 Act.**

4 **“SECTION 4. Sections 1 and 2 of this 2021 Act are repealed on June 30, 2023.**

5 **“SECTION 5. This 2021 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
7 **July 1, 2021.”.**

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