

# Senate Bill 721

Sponsored by COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH AND RECOVERY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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 430.073; and prescribing an  
3 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 [*supports and*  
7 *promotes*] **support and promote** self-determination for persons receiving mental health **and sub-**  
8 **stance use disorder** services. The [*policy*] **policies** shall be designed to remove barriers that:

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

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

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

15 430.073. (1) As used in this section and ORS 430.075, "consumer" means a person who has re-  
16 ceived or is receiving mental health or [*addiction*] **substance use disorder** services.

17 (2) **Consistent with the principles embodied in ORS 430.071 to support and promote self-**  
18 **determination for persons receiving mental health or substance use disorder services**, the  
19 Director of the Oregon Health Authority shall [*establish*] **maintain** a Consumer Advisory Council  
20 to:

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

23 (b) [*The council may*] Review, evaluate and provide feedback on all site reviews related to  
24 mental health **and substance use disorder** services provided by the authority.

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

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

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

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

30 (3) The director shall appoint 15 to 25 consumers to the council **from a list of candidates**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **submitted by:**

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

3 **(b) A seven-person committee, appointed by the members of the council, consisting of**  
4 **individuals who represent independent consumer-run organizations, consumer-run advocacy**  
5 **organizations and consumer-operated advisory councils that are active or headquartered in**  
6 **this state.**

7 **(4)** In making appointments **to the council**, the director shall strive to balance the represen-  
8 tation according to geographic areas of the state, race, ethnicity and age.

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

10 [~~4~~] **(6)** The authority shall provide administrative support to the council.

11 [~~5~~] **(7)** A member of the council is entitled to compensation in an amount determined by the  
12 director and to actual and necessary travel expenses incurred by the member in the performance  
13 of the member's official duties. Claims for compensation and expenses shall be paid out of funds  
14 appropriated to the authority for purposes of the council.

15 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**  
16 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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