

Requested by Senator GELSER

**PROPOSED AMENDMENTS TO
SENATE BILL 4**

1 In line 2 of the printed bill, before the period, insert “; creating new
2 provisions; and amending ORS 418.978 and 418.979”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 418.978 is amended to read:

5 “418.978. (1) A commission known as the System of Care Advisory Council
6 is established.

7 “(2) The council consists of 25 members appointed as follows:

8 “(a) The Chief Justice of the Supreme Court shall appoint one represen-
9 tative from the Judicial Department.

10 “(b) The Governor shall appoint:

11 “(A) Two members who are representatives of the Department of Human
12 Services with extensive knowledge of systems of care, one of whom must
13 have direct experience with intellectual and developmental disabilities pro-
14 grams.

15 “(B) One member who is a representative of the Oregon Youth Authority
16 with extensive knowledge of systems of care.

17 “(C) One member who is a representative of the Oregon Health Authority
18 with extensive knowledge of systems of care.

19 “(D) One member who is a representative of the Department of Education.

20 “(E) Two members who are representatives of coordinated care organiza-
21 tions meeting the criteria adopted by the Oregon Health Authority under

1 ORS 414.572, at least one of which must provide services to rural communi-
2 ties.

3 “(F) One psychiatrist, one psychologist and one pediatric physician, each
4 of whom must have clinical experience with youth.

5 “(G) One member who is a representative of an entity that offers com-
6 mercial insurance.

7 “(H) Three members who are representatives of agencies that provide
8 different services and supports to youth and families of youth.

9 “(I) One member who is a representative of organizations that advocate
10 for youth.

11 “(J) One member who is a representative of organizations that advocate
12 for families of youth.

13 “(K) Two members of the public, each of whom are family members of:

14 “(i) Persons with intellectual or developmental disabilities or mental ill-
15 ness; or

16 “(ii) Persons who are currently or were previously in the foster care sys-
17 tem or the youth criminal justice system.

18 “(L) Two members of the public who are no more than 25 years of age
19 and who:

20 “(i) Are persons with intellectual or developmental disabilities or mental
21 illness; or

22 “(ii) Are currently or were previously a ward, youth or youth offender,
23 as those terms are defined in ORS 419A.004.

24 “(M) One member who is a county juvenile department director.

25 “(N) One member who is a county mental health program director.

26 “(O) One member who is a member of a federally recognized Indian tribe
27 in this state or a designee of the Indian tribe.

28 “(P) One member who is a representative of Oregon’s federally mandated
29 disability protection and advocacy agency.

30 “(3) The term of office of each member of the council is four years, but

1 a member serves at the pleasure of the appointing authority. Before the ex-
2 piration of the term of a member, a successor shall be appointed whose term
3 begins on January 2 next following. A member is eligible for reappointment
4 to one additional term. If there is a vacancy for any cause, the appointing
5 authority shall make an appointment to become immediately effective for the
6 unexpired term.

7 “(4)(a) Members of the council who are not state employees are not enti-
8 tled to compensation or reimbursement for expenses and serve as volunteers
9 on the council.

10 “(b) Notwithstanding paragraph (a) of this subsection, members of the
11 council described in subsection (2)(b)(K) and (L) of this section may be re-
12 imbursed for travel and other reasonable expenses associated with serving
13 on the council.

14 “(5) Members of the council who are state employees carrying out their
15 state employment functions are entitled to compensation and reimbursement
16 by their employing agencies for actual and necessary travel and other ex-
17 penses incurred by them in the performance of their official duties as mem-
18 bers of the council.

19 “(6) The Governor shall appoint one of the members as chairperson, to
20 serve at the pleasure of the Governor. The members of the council shall elect
21 from among themselves a vice chairperson who shall preside over meetings
22 and exercise the functions of the chairperson during the absence or disability
23 of the chairperson. The chairperson and the vice chairperson shall execute
24 the duties determined by the council to be necessary.

25 “(7) **The council shall appoint an executive director who shall be in**
26 **the exempt service and who shall be responsible for the performance**
27 **of duties assigned by the council. Subject to the State Personnel Re-**
28 **lations Law, the executive director may employ appropriate staff to**
29 **carry out the duties assigned by the council.**

30 “[7] (8) The council shall meet at least four times per year at a place,

1 day and hour determined by the council.

2 “[8] (9) A majority of the members of the council constitutes a quorum
3 for the transaction of business.

4 “[9] (10) The Oregon Health Authority, in coordination with the De-
5 partment of Human Services, shall provide staff support to the council.

6 **“SECTION 2.** ORS 418.979 is amended to read:

7 “418.979. (1) The purpose of the System of Care Advisory Council is to
8 improve the effectiveness and efficacy of state and local systems of care that
9 provide services to youth by providing a centralized and impartial forum for
10 statewide policy development and planning.

11 “(2) The primary duty of the council is to develop and maintain a state
12 system of care policy and a comprehensive, long-range plan for a coordinated
13 state system of care that encompasses public health, health systems, child
14 welfare, education, juvenile justice and services and supports for mental and
15 behavioral health and people with intellectual or developmental disabilities.
16 The plan must include, but need not be limited to, recommendations regard-
17 ing:

18 “(a) Capacity, utilization and types of state and local systems of care and
19 services and supports;

20 “(b) Implementation of in-home behavioral health services, crisis and
21 transition services, therapeutic foster care, in-home family support services
22 and the integration of those services with existing programs of residential
23 services for individuals with behavioral health needs and intellectual devel-
24 opmental disabilities;

25 “(c) Appropriate use of existing systems of care and services and supports;

26 “(d) Whether additional services and supports are necessary to address
27 gaps in coverage;

28 “(e) Methods for assessing the effectiveness of systems of care and ser-
29 vices and supports in reducing juvenile dependency or delinquency;

30 “(f) Methods of reducing risk of future juvenile dependency or delin-

1 quency;

2 “(g) The effective utilization of the local system of care governance
3 structure;

4 “(h) Guidelines for partner agency core values and guiding principles; and

5 “(i) Guidelines that ensure cultural competence in the provision of ser-
6 vices and supports by:

7 “(A) Implementing uniform standards to allow local system of care teams
8 to describe the culturally responsive services and supports available in a
9 system of care.

10 “(B) Providing youth and families with understandable and effective sys-
11 tem of care services in a manner compatible with their disabilities, cultural
12 beliefs and practices, literacy skills and language.

13 “(C) Developing and implementing a process to review practices accepted
14 by diverse communities.

15 “(D) Identifying ways to continually improve culturally competent system
16 of care services and implementing a statewide system of care that reflects
17 culturally competent practices.

18 “(3) Other duties of the council are to:

19 “(a) Conduct joint studies by agreement with other state agencies, boards
20 or commissions on any matter within the jurisdiction of the council;

21 “(b) Provide oversight of the implementation of the services described in
22 subsection (2)(b) of this section by the Oregon Health Authority, the Oregon
23 Youth Authority and the Department of Human Services and to provide pe-
24 riodic updates on the agencies’ implementation to the Legislative Assembly;

25 “(c) Provide recommendations to the Director of the Oregon Health Au-
26 thority, the Director of the Oregon Youth Authority and the Director of
27 Human Services as necessary for the agencies to maintain and strengthen the
28 systems of care;

29 “(d) Make recommendations to the Director of the Oregon Health Au-
30 thority, the Director of the Oregon Youth Authority and the Director of

1 Human Services to reduce barriers to implementation of systems of care;
2 “(e) Continually monitor and update the Children’s System Data
3 Dashboard described in ORS 418.981, with a specific focus on the number of
4 youth placed in hotels, out-of-state placements, emergency department
5 boarding, congregate care facilities, shelter care or Oregon Youth Authority
6 custody; and

7 “(f) Award grants for the purpose of supporting local system of care
8 governance and for carrying out the recommendations in the council’s plan
9 developed under subsection (2) of this section.

10 “(4)(a) On or before January 2 of each even-numbered year, the council
11 shall update its plan under subsection (2) of this section and submit the plan
12 to an interim committee of the Legislative Assembly related to youth, and
13 to the Governor.

14 “(b) On or before September 15 of each year, the council shall submit a
15 report in the manner provided in ORS 192.245, including recommendations
16 for legislation, to an interim committee of the Legislative Assembly related
17 to youth, and to the Governor, describing how the council is meeting its
18 goals, the remaining barriers to access to services and supports and recom-
19 mendations for legislation.

20 “(5) The council may:

21 “(a) Apply for and receive gifts and grants from any public or private
22 source.

23 “(b) Adopt rules to carry out the provisions of this section.

24 “(6) All agencies of state government, as defined in ORS 174.111, are di-
25 rected to assist the council in the performance of the duties of the council
26 and, to the extent permitted by laws relating to confidentiality, to furnish
27 information and advice **that** the members of the council consider necessary
28 to perform the duties of the council.

29 **“(7) The council and the Oregon Health Authority shall enter into**
30 **an interagency agreement that includes, but need not be limited to,**

1 provisions on appropriate roles and responsibilities of the council and
2 the authority with regard to the coordinated state system of care. In
3 addition, the agreement must ensure and safeguard the council’s in-
4 dependence from the authority on matters of policy and the council’s
5 discretion regarding the direction of funds allocated to the council or
6 appropriated to the authority for the purposes of supporting the duties
7 of the council.

8 **“SECTION 3. (1) In consultation with the System of Care Advisory**
9 **Council, the Department of Human Services and the Oregon Health**
10 **Authority shall prepare semiannual reports of expenditures on services**
11 **and supports provided by the department or the authority which are**
12 **identified by the council as part of the coordinated state system of**
13 **care plan, described in ORS 418.979. The reports must describe the**
14 **expenditures made in the immediately preceding six-months, describe**
15 **the anticipated expenditures in the succeeding six months and identify**
16 **any funding gaps. In addition, the reports must include any other in-**
17 **formation requested by the council.**

18 **“(2) The department and the authority shall submit the reports**
19 **prepared under this section to the council and the committees or in-**
20 **terim committees of the Legislative Assembly related to youth in the**
21 **manner provided in ORS 192.245 no later than April 1 and October 1**
22 **of each year.**

23 **“(3) As used in this section, ‘services and supports’ and ‘youth’ have**
24 **the meanings given those terms in ORS 418.976.**

25 **“SECTION 4. The reports under section 3 of this 2021 Act are first**
26 **due April 1, 2022.”.**

27
