

HB 3035-A5
(LC 2653)
5/31/21 (JLM/ps)

Requested by Representative DEXTER

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3035**

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

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

5 **“(2)(a) The task force consists of eleven members appointed as fol-**
6 **lows:**

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

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

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

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

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

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

20 **“(D) The Director of the Department of Corrections shall appoint**
21 **two members representing the medical staff of the department.**

1 **(b) The Corrections Ombudsman as defined in ORS 423.400 shall**
2 **serve as an ex officio nonvoting member of the task force and is not**
3 **considered a member for the purposes of this subsection.**

4 **“(3) The task force shall:**

5 **“(a) Conduct a review of the process by which adults in Department**
6 **of Corrections custody file grievances concerning access to and the**
7 **provision of medical care to determine the level of accountability and**
8 **transparency the process provides to adults in custody and the inter-**
9 **ests of the state and whether the process conforms with the right of**
10 **adults in custody to community-level medical care.**

11 **“(b) Conduct a review of the current medical care standards of care**
12 **in the department to determine whether the standards align with the**
13 **right of adults in custody to community-level medical care. The report**
14 **resulting from the review must include a recommended prioritized list**
15 **of medical care, including mental and oral health and similar to the**
16 **Medicaid prioritization list, that meets community standards. The re-**
17 **port must further include the recommendation of meaningful access**
18 **timelines for each type of care that must be equitably available to all**
19 **adults in custody in all department facilities.**

20 **“(c) Review timelines and goals for the adoption of an electronic**
21 **health records system by the department. The task force shall review**
22 **the current adoption timeline and process to ensure appropriate goals,**
23 **timelines and outcomes are being achieved, with the priority being**
24 **expedited adoption of the platform most able to improve continuity**
25 **of care with community practitioners, the seamless sharing of records**
26 **and the ability for outcomes and services to be reported to the public.**

27 **“(4) A majority of the voting members of the task force constitutes**
28 **a quorum for the transaction of business.**

29 **“(5) Official action by the task force requires the approval of a**
30 **majority of the voting members of the task force.**

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

3 “(7) If there is a vacancy for any cause, the appointing authority
4 shall make an appointment to become immediately effective.

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

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

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

14 “(b) No later than September 15, 2022, the task force shall provide
15 the recommendations described in subsection (3)(b) of this section to
16 the Department of Corrections, and the department shall publish the
17 recommendations on the website of the department.

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

20 “(12) Members of the Legislative Assembly appointed to the task
21 force are nonvoting members of the task force and may act in an ad-
22 visory capacity only.

23 “(13) Members of the task force who are not members of the Leg-
24 islative Assembly are not entitled to compensation or reimbursement
25 for expenses and serve as volunteers on the task force.

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

1 **“SECTION 2.** (1) Beginning no later than December 31, 2021, and
2 every six months thereafter, the Department of Corrections shall re-
3 port to the interim committees of the Legislative Assembly related to
4 the judiciary and health care, in the manner provided under ORS
5 192.245, the following information:

6 “(a) Progress on the adoption of an electronic health records sys-
7 tem;

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

10 “(c) The medical services available to adults in custody within de-
11 partment facilities; and

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

14 “(2) No later than December 31, 2022, the Department of Cor-
15 rections, in consultation with the Oregon Health Authority, shall re-
16 port to the interim committees of the Legislative Assembly related to
17 the judiciary and health care, in the manner provided under ORS
18 192.245, health outcomes concerning all adults in the custody of the
19 department, including health trends and any information the depart-
20 ment determines relevant to the effectiveness of the work of the Task
21 Force on Corrections Medical Care described in section 1 of this 2021
22 Act and, if applicable, any department program in which health care
23 navigators are assigned to adults in custody.

24 **“SECTION 3.** Sections 1 and 2 of this 2021 Act are repealed on June
25 30, 2023.

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

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