

HB 4070 STAFF MEASURE SUMMARY**Carrier:** Sen. Kennemer**Senate Committee On Human Services, Mental Health and Recovery****Action Date:** 02/15/22**Action:** Do pass.**Vote:** 4-0-1-0**Yeas:** 4 - Gelser Blouin, Kennemer, Lieber, Sollman**Exc:** 1 - Robinson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** C. Ross, LPRO Analyst**Meeting Dates:** 2/15**WHAT THE MEASURE DOES:**

Incorporates substance use disorder policy and peer constituency participation into the composition of the Consumer Advisory Council (the Council) and its function within the Oregon Health Authority (OHA). Makes explicit that the Council is a representative body, facilitating the participation of its peer constituents. Specifies that the Council provides feedback on select, anonymized site reviews related to the provision of subject services, and issues a variety of other policy advice, experience, concerns, and recommendations as specified. Directs OHA to select appointees to the Council from a list of candidates provided by the Council, or by a seven-person committee within the Council, that assumes responsibility for balanced representation, instead of OHA making appointments directly. Adds gender identity to the list of factors guiding balanced Council membership. Takes effect 91st day after *sine die* adjournment.

ISSUES DISCUSSED:

- Duplicating, but improving on the provisions of Senate Bill 721 (2021)
- Passage but subsequent veto of Senate Bill 721 to avoid potential risk to federal Medicaid funding due to concern over delegation of authority

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Health Authority (OHA) is advised on addictions and mental health policy by a Consumer Advisory Council (the Council). OHA currently appoints 15-25 members directly to the Council who have experience receiving services, and it must consider age, race, ethnicity, and geographic areas of the state, to try and achieve a balance of representation. The Council is currently allowed, but not required, to evaluate all site reviews related to the provision of mental health services. It was established in 2007 via Senate Bill 364 and originally operated within the Department of Human Services (ODHS). At that time, only age and geography were factors to guide the balance of appointments. The Council's operation and responsibility for appointments were transferred to OHA in 2009, pursuant to House Bill 2009, consistent with federal laws concerning parity as between different forms of health care; and in 2015, race and ethnicity were added to age and geography via Senate Bill 229, to guide the balance of its membership.

House Bill 4070 explicitly incorporates substance use disorder policy and peer constituency participation into the composition of the Council and into its function within OHA. The measure also concentrates the Council's evaluation on select, anonymized site reviews and specifies a variety of other inputs it provides. Finally, the measure adds gender identity to the list of considerations for balanced Council membership and makes the Council itself responsible for identifying potential candidates for appointment.