

House Bill 4070

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Behavioral Health for Representative Tawna Sanchez)

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, addiction 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 independence and** self-determination for persons receiving mental
8 health, **addiction or substance use disorder** services. The [*policy*] **policies** shall be designed to
9 remove barriers that:

10 (1) Segregate persons with disabilities from full participation in the community in the most in-
11 tegrated setting in accordance with the United States Supreme Court decision in *Olmstead v. L.C.*,
12 527 U.S. 581 (1999); and

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

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

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

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

22 (a) Advise the director on the provision of mental health, **addiction and substance use dis-**
23 **order** services by the Oregon Health Authority **and operate as a representative body that fa-**
24 **ilitates input from and communication with the peer constituency of the council.**

25 (b) [*The council may*] Review, evaluate and provide feedback, **as permitted by federal law**, on
26 [*all*] **select deidentified site [*reviews*] review reports** related to mental health, **addiction and**
27 **substance use disorder** services provided by the authority.

28 (c) **Review, evaluate or publish impacts, advisories or fiscal benefit estimates for the di-**
29 **rector or the peer constituency of the council, or as public information, concerning any**
30 **policy proposals developed in accordance with ORS 430.071.**

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 **(d) Recommend policies in accordance with ORS 430.071.**

2 **(e) Provide perspectives and experiences.**

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

5 (3) The director shall appoint 15 to 25 consumers to the council **from a list of candidates**
6 **submitted by:**

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

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

12 **(4) In selecting the candidates to be submitted to the director under subsection (3) of this**
13 **section, the council or committee shall strive for the balance described in subsection (5) of**
14 **this section and otherwise encourage outreach to new members and diverse groups in the**
15 **consumer or peer community.**

16 (5) In making appointments **to the council**, the director shall strive to balance the represen-
17 tation according to geographic areas of the state, race, ethnicity, **gender identity** and age.

18 ~~[(4)]~~ **(6)** The authority shall provide administrative support to the council.

19 ~~[(5)]~~ **(7)** A member of the council is entitled to compensation in an amount determined by the
20 director and to actual and necessary travel expenses incurred by the member in the performance
21 of the member's official duties. Claims for compensation and expenses shall be paid out of funds
22 appropriated to the authority for purposes of the council.

23 **SECTION 3. This 2022 Act takes effect on the 91st day after the date on which the 2022**
24 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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