

B-Engrossed

Senate Bill 968

Ordered by the House May 15
Including Senate Amendments dated March 24 and House Amendments
dated May 15

Sponsored by COMMITTEE ON HEALTH CARE

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.

Modifies criteria for membership on System of Care Advisory Council. Modifies duties of [*System of Care Advisory*] council.

A BILL FOR AN ACT

1
2 Relating to systems of care; creating new provisions; and amending ORS 418.978 and 418.979.

3 **Be It Enacted by the People of the State of Oregon:**

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

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

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

7 (a) The Chief Justice of the Supreme Court shall appoint one representative from the Judicial
8 Department.

9 (b) The Governor shall appoint:

10 (A) Two members who are representatives of the Department of Human Services with extensive
11 knowledge of systems of care, one of whom must have direct experience with intellectual and de-
12 velopmental disabilities programs.

13 (B) One member who is a representative of the Oregon Youth Authority with extensive knowl-
14 edge of systems of care.

15 (C) One member who is a representative of the Oregon Health Authority with extensive knowl-
16 edge of systems of care.

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

18 (E) Two members who are representatives of coordinated care organizations meeting the criteria
19 adopted by the Oregon Health Authority under ORS 414.572, at least one of which must provide
20 services to rural communities.

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

23 (G) One member who is a representative of an entity that offers commercial insurance.

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

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

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

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

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 (i) Persons with intellectual or developmental disabilities or mental illness; or

2 (ii) Persons who are currently or were previously in the foster care system or the youth criminal
3 justice system.

4 (L) Two members of the public who are no more than 25 years of age **at the time of appoint-**
5 **ment or reappointment** and who:

6 (i) Are persons with intellectual or developmental disabilities or mental illness; or

7 (ii) Are currently or were previously a ward, youth or adjudicated youth, as those terms are
8 defined in ORS 419A.004.

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

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

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

13 (P) One member who is a representative of Oregon's federally mandated disability protection and
14 advocacy agency.

15 (3) The term of office of each member of the council is four years, but a member serves at the
16 pleasure of the appointing authority. Before the expiration of the term of a member, a successor
17 shall be appointed whose term begins on January 2 next following. A member is eligible for reap-
18 pointment to one additional term. If there is a vacancy for any cause, the appointing authority shall
19 make an appointment to become immediately effective for the unexpired term.

20 (4)(a) Members of the council who are not state employees are not entitled to compensation or
21 reimbursement for expenses and serve as volunteers on the council.

22 (b) Notwithstanding paragraph (a) of this subsection, members of the council described in sub-
23 section (2)(b)(K) and (L) of this section may be reimbursed for travel and other reasonable expenses
24 associated with serving on the council.

25 (5) Members of the council who are state employees carrying out their state employment func-
26 tions are entitled to compensation and reimbursement by their employing agencies for actual and
27 necessary travel and other expenses incurred by them in the performance of their official duties as
28 members of the council.

29 (6) The Governor shall appoint one of the members as chairperson, to serve at the pleasure of
30 the Governor. The members of the council shall elect from among themselves a vice chairperson
31 who shall preside over meetings and exercise the functions of the chairperson during the absence
32 or disability of the chairperson. The chairperson and the vice chairperson shall execute the duties
33 determined by the council to be necessary.

34 (7) The council shall appoint an executive director who shall be in the exempt service and who
35 shall be responsible for the performance of duties assigned by the council. Subject to the State
36 Personnel Relations Law, the executive director may employ appropriate staff to carry out the du-
37 ties assigned by the council.

38 (8) The council shall meet at least four times per year at a place, day and hour determined by
39 the council.

40 (9) A majority of the members of the council constitutes a quorum for the transaction of busi-
41 ness.

42 **SECTION 2.** ORS 418.979 is amended to read:

43 418.979. (1) The purpose of the System of Care Advisory Council is to improve the effectiveness
44 and efficacy of state and local systems of care that provide services to youth by providing a cen-
45 tralized and impartial forum for statewide policy development and planning.

1 (2) The primary duty of the council is to develop and maintain a state system of care policy and
2 a comprehensive, long-range plan for a coordinated state system of care that encompasses public
3 health, health systems, child welfare, education, juvenile justice and services and supports for men-
4 tal and behavioral health and people with intellectual or developmental disabilities. The plan must
5 include, but need not be limited to, recommendations regarding:

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

7 (b) Implementation of in-home behavioral health services, crisis and transition services,
8 therapeutic foster care, in-home family support services and the integration of those services with
9 existing programs of residential services for individuals with behavioral health needs and intellec-
10 tual developmental disabilities;

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

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

13 (e) Methods for assessing the effectiveness of systems of care and services and supports in re-
14 ducing juvenile dependency or delinquency;

15 (f) Methods of reducing risk of future juvenile dependency or delinquency;

16 (g) The effective utilization of the local system of care governance structure;

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

18 (i) Guidelines that ensure cultural competence in the provision of services and supports by:

19 (A) Implementing uniform standards to allow local system of care teams to describe the cul-
20 turally responsive services and supports available in a system of care.

21 (B) Providing youth and families with understandable and effective system of care services in a
22 manner compatible with their disabilities, cultural beliefs and practices, literacy skills and language.

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

24 (D) Identifying ways to continually improve culturally competent system of care services and
25 implementing a statewide system of care that reflects culturally competent practices.

26 (3) Other duties of the council are to:

27 (a) Conduct joint studies **on any matter within the jurisdiction of the council** by agreement
28 with **the Oregon Youth Authority, the Department of Human Services, the Oregon Health**
29 **Authority, the Department of Education, coordinated care organizations and any other state**
30 agencies, boards or commissions [*on any matter within the jurisdiction of the council*];

31 (b) Provide oversight of the implementation of the services described in subsection (2)(b) of this
32 section by the Oregon Health Authority, the Oregon Youth Authority and the Department of Human
33 Services and to provide periodic updates on the agencies' implementation to the Legislative Assem-
34 bly;

35 (c) Provide recommendations to the Director of the Oregon Health Authority, the Director of
36 the Oregon Youth Authority, **the Deputy Superintendent of Public Instruction** and the Director
37 of Human Services as necessary for the agencies to maintain and strengthen the systems of care;

38 (d) Make recommendations to the Director of the Oregon Health Authority, the Director of the
39 Oregon Youth Authority, **the Deputy Superintendent of Public Instruction** and the Director of
40 Human Services to reduce barriers to implementation of systems of care;

41 (e) Continually monitor and update the Children's System Data Dashboard described in ORS
42 418.981, with a specific focus on the number of youth placed in hotels, out-of-state placements,
43 emergency department boarding, congregate care facilities, shelter care or Oregon Youth Authority
44 custody; and

45 (f) Award grants from funds appropriated by the Legislative Assembly to the council or from

1 funds otherwise available from any other source, for the purpose of supporting local system of care
2 governance and for carrying out the recommendations in the council's plan developed under sub-
3 section (2) of this section.

4 (4)(a) On or before [*January 2 of each even-numbered year*] **January 1 of every fourth year**, the
5 council shall update its plan under subsection (2) of this section and submit the plan to an interim
6 committee of the Legislative Assembly related to youth, and to the Governor.

7 (b) On or before September 15 of each year, the council shall submit a report in the manner
8 provided in ORS 192.245 to an interim committee of the Legislative Assembly related to youth, and
9 to the Governor, describing how the council is meeting its goals and any remaining barriers to ac-
10 cess to services and supports. The report may include recommendations for legislation, including
11 recommendations for changes to the council structure, composition and operating processes.

12 (c) On or before December 31 of each odd-numbered year, the council, the Department of Human
13 Services and the Oregon Health Authority shall submit a joint report in the manner described in
14 ORS 192.245 to an interim committee of the Legislative Assembly related to youth, describing mon-
15 eys appropriated to or otherwise made available to the department, the authority or the council in
16 the preceding biennium for the purpose of providing, or providing access to, the services and sup-
17 ports described in subsection (2)(b) of this section. The report must include an accounting of the
18 expenditures made by the department, the authority and the council and of any moneys remaining
19 unspent at the close of the biennium.

20 (5) The council may:

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

22 (b) Submit proposals for legislative measures at the time and in the manner prescribed in ORS
23 171.130 and 171.133.

24 (c) Adopt rules to carry out the provisions of this section.

25 (6) The council shall submit an agency request budget at the time and in the manner prescribed
26 under ORS 291.208.

27 (7)(a) All agencies of state government are directed to assist the council in the performance of
28 the duties of the council and, to the extent permitted by laws relating to confidentiality, to furnish
29 information and advice that the members of the council consider necessary to perform the duties
30 of the council.

31 (b) At the council's request, a participating state agency shall provide the council with the
32 agency's proposed budget form, prior to the agency's submission of the form to the Oregon Depart-
33 ment of Administrative Services under ORS 291.208, for the council's review. The council may make
34 recommendations to the agency or, if appropriate, the department regarding the agency's proposed
35 expenditures for services and supports necessary to implement the council's policy recommendations
36 under this section.

37 (8) The council and participating state agencies shall, where applicable, enter into interagency
38 agreements to:

39 (a) Provide staff and resources to assist the council in carrying out the council's duties;

40 (b) Share computer systems and technologies, to the extent allowed by law;

41 (c) Collect and analyze data related to the state system of care and the performance of the
42 council's duties; or

43 (d) Investigate the effectiveness of the council's proposals and recommendations under this sec-
44 tion.

45 (9) Moneys that are appropriated to or otherwise made available to the council or the Oregon

1 Health Authority for the purpose of supporting the duties of the council may not be expended except
2 as directed by the council.

3 **SECTION 3. The System of Care Advisory Council shall first update the plan described**
4 **in ORS 418.979 (2) and submit the plan required under ORS 418.979 (4)(a) no later than Jan-**
5 **uary 1, 2026, and January 1 of every fourth year thereafter.**

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