

A-Engrossed House Bill 4087

Ordered by the House February 21
Including House Amendments dated February 21

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Early Childhood and Human Services for Representative Lisa Reynolds)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act directs OHA, with DHS and OYA, to create a pilot program to provide treatment and services to certain children with high needs. (Flesch Readability Score: 65.7).

[Digest: The Act directs DHS to establish a program to provide treatment to children with high needs who are in DHS custody. (Flesch Readability Score: 64.6).]

Directs the Oregon Health Authority, in consultation with the Department of Human Services and the Oregon Youth Authority, to establish [an Emergency High Acuity Youth Initiative program] a pilot program to create capacity to support or stabilize residential systems of care for children who are at risk of temporary lodging or who require behavioral health services. Directs the authorities and department to, separately, enter into capacity contracts [with up to 10 child-caring agencies to provide residential services and supports to children in the protective custody of the department] with providers of residential care to certain children. Directs the System of Care Advisory Council to compile pilot reports from program providers into a report summarizing the progress of the pilot program and to submit the report to the committees or interim committees of the Legislative Assembly related to children.

[Directs the department to enter into a contract with a provider association that represents a minimum number of child-caring agencies to facilitate the sharing of data and provide recommendations to the department.]

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to children in care; and declaring an emergency.

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

4 **SECTION 1. (1) The Oregon Health Authority, in coordination with the Department of**
5 **Human Services and the Oregon Youth Authority, shall establish a pilot program to create**
6 **capacity to support or stabilize residential systems of care for wards, children, youth and**
7 **adjudicated youth under 21 years of age, who are at risk of temporary lodging or who require**
8 **behavioral health services.**

9 **(2) The Oregon Health Authority, Department of Human Services or Oregon Youth Au-**
10 **thority shall separately enter into capacity contracts for the term beginning July 1, 2024,**
11 **through June 30, 2025, with pilot program providers of residential care to wards, children,**
12 **youth and adjudicated youth. A provider is eligible to participate in the pilot program if the**
13 **provider:**

14 **(a) Is currently licensed by the department or the Oregon Health Authority; and**

15 **(b) Demonstrates that the provider can assist with system stabilization for residential**
16 **care and treatment of wards, children, youth or adjudicated youth, or otherwise be able to**
17 **create capacity to support or stabilize such systems of care.**

18 **(3) The Oregon Health Authority shall establish the following requirements for capacity**

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 **contracts:**

2 (a) Pilot program provider eligibility;

3 (b) Use of capacity payments for unused bed capacity;

4 (c) Payment formulas for capacity payments based on a percentage rate for services
5 payable from the state to the provider for the level of care provided; and

6 (d) Requirements of pilot program providers to submit monthly reports to the authority
7 that include, at a minimum, documentation of unused beds and explanations regarding bar-
8 riers to serving eligible children who experience temporary lodging.

9 (4) The System of Care Advisory Council shall prescribe performance standards by which
10 pilot program providers will be evaluated.

11 (5)(a) The Oregon Health Authority shall provide the System of Care Advisory Council
12 with copies of the provider reports described in subsection (3) of this section no later than
13 October 10, 2024, and every three months thereafter.

14 (b) The council, in consultation with an advisory committee appointed by the council,
15 shall review and analyze the reports received by the council under this subsection. On or
16 before January 31, 2025, the council shall submit a report in the manner described in ORS
17 192.245 to the committees or interim committees of the Legislative Assembly related to
18 children, summarizing the progress of the pilot program, including the effectiveness of
19 capacity-based payments and the methods of payments utilized.

20 (6) The Oregon Health Authority, Department of Human Services or Oregon Youth Au-
21 thority may adopt rules to implement the provisions of this section.

22 **SECTION 2.** The Oregon Health Authority, Department of Human Services and Oregon
23 Youth Authority shall enter into and begin issuing payments to providers under the con-
24 tracts described in section 1 of this 2024 Act no later than June 30, 2024.

25 **SECTION 3.** There is appropriated to the Oregon Health Authority, for the biennium
26 ending June 30, 2025, out of the General Fund, the amount of \$15,000,000 for the purpose of
27 carrying out the provisions of section 1 of this 2024 Act.

28 **SECTION 4.** Section 1 of this 2024 Act is repealed on January 2, 2026.

29 **SECTION 5.** This 2024 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
31 on its passage.

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