

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
HOUSE BILL 4092**

1 On page 1 of the printed bill, line 17, after “430.880” insert “except ORS
2 430.630”.

3 Delete lines 18 through 20 and delete page 2.

4 On page 3, delete lines 1 through 40 and insert:

5 “(d) ORS 430.627, 430.628, 430.629 and 430.630.

6 “(3) The authority shall compile a report of the authority’s findings about
7 the costs of providing the services and performing the functions described in
8 the sections listed in:

9 “(a) Subsections (2)(a), (b) and (d) of this section and make the report
10 available on the authority’s website no later than January 1, 2025 and every
11 five years thereafter;

12 “(b) Subsection (2)(c) of this subsection and make the report available on
13 the authority’s website no later than January 1, 2026 and every five years
14 thereafter.

15 **“SECTION 2. (1) The Oregon Health Authority shall contract with
16 the Oregon Council for Behavioral Health to convene a group of be-
17 havioral health partners to conduct a study to:**

18 **“(a) Evaluate the provisions in ORS chapters 414 and 430, adminis-
19 trative rules and state contracts affecting behavioral health care pro-
20 viders, coordinated care organizations, private behavioral health care
21 providers and community mental health programs; and**

1 **“(b) Make recommendations for revisions to the statutes, adminis-**
2 **trative rules and contracts.**

3 **“(2) The study shall:**

4 **“(a) Identify redundancies, contradictions and outdated language in**
5 **the provisions in ORS chapters 414 and 430 and recommend solutions**
6 **that address or resolve those redundancies, contradictions or outdated**
7 **language to increase efficiencies in the publicly funded behavioral**
8 **health system to better serve Oregonians;**

9 **“(b) Define and clarify the roles and responsibilities under ORS**
10 **chapters 414 and 430 and related contract expectations and deliverables**
11 **of all major behavioral health system partners that constitute the**
12 **public behavioral health system, including but not limited to coordi-**
13 **nated care organizations, community mental health programs, behav-**
14 **ioral health organizations, county governments and the Oregon Health**
15 **Authority; and**

16 **“(c) Develop recommendations to ensure a regulatory framework**
17 **that is better for the population of behavioral health care consumers**
18 **and the publicly funded providers needed to serve the population, in-**
19 **cluding by:**

20 **“(A) Maximizing access to behavioral health services;**

21 **“(B) Creating portability and accountability for the behavioral**
22 **health workforce;**

23 **“(C) Promoting behavioral and physical health integration; and**

24 **“(D) Addressing the differences between the regulatory structures**
25 **for privately funded and publicly funded health systems in this state.**

26 **“(3) The group conducting the study must include representatives**
27 **of:**

28 **“(a) Consumers of behavioral health services;**

29 **“(b) Coordinated care organizations;**

30 **“(c) Community mental health programs;**

1 **“(d) Culturally-specific behavioral health organizations;**
2 **“(e) Behavioral health advocacy organizations;**
3 **“(f) County governments;**
4 **“(g) The Mental Health Regulatory Agency;**
5 **“(h) Behavioral health care providers that contract with the state**
6 **or with local governments;**
7 **“(i) Labor organizations that represent the behavioral health**
8 **workforce;**
9 **“(j) Hospitals;**
10 **“(k) The Mental Health and Addiction Certification Board of**
11 **Oregon;**
12 **“(L) The units of the Oregon Health Authority responsible for**
13 **Medicaid, behavioral health services, quality, compliance and program**
14 **integrity;**
15 **“(m) The nine federally recognized tribes in Oregon; and**
16 **“(n) The Judicial Department.**
17 **“(4) Consumers of behavioral health services who serve on the**
18 **group conducting the study must be ensured a meaningful opportunity**
19 **to participate in developing the group’s recommendations.**
20 **“(5) Members of the group conducting the study who are not em-**
21 **ployed by a state agency, county government or city government are**
22 **entitled to a stipend and reimbursement of travel or other expenses**
23 **as provided in ORS 292.495. Stipends shall be paid in a manner that**
24 **allows the stipends to be excluded from income in determining eligi-**
25 **bility for medical assistance, to the extent practicable under federal**
26 **law.**
27 **“(6) All agencies of state government, as defined in ORS 174.111, are**
28 **directed to assist the group in conducting the study and, to the extent**
29 **permitted by laws relating to confidentiality, to furnish information**
30 **and advice the members of the group consider necessary to conduct**

1 the study and develop recommendations.

2 “(7) The council shall work in partnership with two to four mem-
3 bers of the group to conduct a procurement, no later than June 30,
4 2024, to hire a consultant to assist the group in conducting the study.

5 “(8) No later than December 15, 2024, to the greatest extent practi-
6 cable, the group shall report the group’s preliminary recommendations
7 for legislative changes related to subsection (2)(a) of this section to the
8 interim committees of the Legislative Assembly related to behavioral
9 health. The report need not comply with ORS 192.245.

10 “(9) No later than December 15, 2025, the group shall submit a final
11 report of the group’s findings and recommendations developed under
12 subsections (1) and (2) of this section, in the manner provided in ORS
13 192.245, to the interim committees of the Legislative Assembly related
14 to behavioral health. The recommendations may include proposed
15 legislation.

16 **“SECTION 3.** Section 1 of this 2024 Act is amended to read:

17 **“Sec. 1.** (1) The Oregon Health Authority, in consultation with counties
18 and community mental health programs, shall conduct a study to determine
19 the funding required for each community mental health program to provide
20 the services and perform the functions required by law related to individuals
21 with behavioral health disorders in the following age groups:

22 “(a) Newborns through youth 17 years of age;

23 “(b) Ages 18 through 25; and

24 “(c) Ages 26 and older.

25 “(2) The study must include, but is not limited to, the costs of providing
26 the services and performing the functions described in:

27 “(a) ORS 161.315 to 161.351, 161.355 to 161.371, 161.385 to 161.395 and
28 161.505 to 161.585.

29 “(b) ORS 426.005 to 426.390, 426.510 to 426.680, 426.701 and 426.702.

30 “(c) ORS 430.021, 430.210, 430.230 to 430.236, 430.265 to 430.380, 430.397 to

1 430.401, 430.405 to 430.565 and 430.610 to 430.880 except ORS 430.630.

2 “(d) ORS 430.627, 430.628, 430.629 and 430.630.

3 “(3) The authority shall compile [*a report*] **reports** of the authority’s
4 findings about the costs of providing the services and performing the func-
5 tions described in [*the sections listed in:*]

6 “[*(a) Subsections (2)(a), (b) and (d) of this section and make the report*
7 *available on the authority’s website no later than January 1, 2025 and every*
8 *five years thereafter;*]

9 “[*(b) Subsection (2)(c) of this subsection and make the report available on*
10 *the authority’s website no later than January 1, 2026 and every five years*
11 *thereafter*] **subsection (2) of this section every five years and make the**
12 **reports available on the authority’s website.**

13 **“SECTION 4. The amendments to section 1 of this 2024 Act by sec-**
14 **tion 3 of this 2024 Act become operative on January 2, 2026.**

15 **“SECTION 5. Section 2 of this 2024 Act is repealed on January 2,**
16 **2026.**

17 **“SECTION 6. In addition to and not in lieu of any other appropri-**
18 **ation, there is appropriated to the Oregon Health Authority, for the**
19 **biennium ending June 30, 2025, out of the General Fund, the amount**
20 **of \$_____, which shall be paid to the Oregon Council for Behavioral**
21 **Health for the hiring of the consultant under section 2 (7) of this 2024**
22 **Act and for the stipends and reimbursement of travel or other ex-**
23 **penses under section 2 (5) of this 2024 Act.”.**

24 In line 41, delete “6” and insert “7”.

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