

A-Engrossed House Bill 2211

Ordered by the House April 9
Including House Amendments dated April 9

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

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 makes changes to laws about certain dental care providers. (Flesch Readability Score: 64.9).

Defines a "dental subcontractor." Directs the Oregon Health Authority to adopt requirements for a dental subcontractor that contracts with a coordinated care organization.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to dental subcontractors; creating new provisions; amending ORS 413.614, 413.650, 414.025,
3 414.430, 414.572 and 679.540; and prescribing an effective date.

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

5 **SECTION 1.** ORS 414.025, as amended by section 5, chapter 18, Oregon Laws 2024, is amended
6 to read:

7 414.025. As used in this chapter and ORS chapters 411 and 413, unless the context or a specially
8 applicable statutory definition requires otherwise:

9 (1)(a) "Alternative payment methodology" means a payment other than a fee-for-services pay-
10 ment, used by coordinated care organizations as compensation for the provision of integrated and
11 coordinated health care and services.

12 (b) "Alternative payment methodology" includes, but is not limited to:

13 (A) Shared savings arrangements;

14 (B) Bundled payments; and

15 (C) Payments based on episodes.

16 (2) "Behavioral health assessment" means an evaluation by a behavioral health clinician, in
17 person or using telemedicine, to determine a patient's need for immediate crisis stabilization.

18 (3) "Behavioral health clinician" means:

19 (a) A licensed psychiatrist;

20 (b) A licensed psychologist;

21 (c) A licensed nurse practitioner with a specialty in psychiatric mental health;

22 (d) A licensed clinical social worker;

23 (e) A licensed professional counselor or licensed marriage and family therapist;

24 (f) A certified clinical social work associate;

25 (g) An intern or resident who is working under a board-approved supervisory contract in a
26 clinical mental health field; or

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 (h) Any other clinician whose authorized scope of practice includes mental health diagnosis and
2 treatment.

3 (4) “Behavioral health crisis” means a disruption in an individual’s mental or emotional stability
4 or functioning resulting in an urgent need for immediate outpatient treatment in an emergency de-
5 partment or admission to a hospital to prevent a serious deterioration in the individual’s mental or
6 physical health.

7 (5) “Behavioral health home” means a mental health disorder or substance use disorder treat-
8 ment organization, as defined by the Oregon Health Authority by rule, that provides integrated
9 health care to individuals whose primary diagnoses are mental health disorders or substance use
10 disorders.

11 (6) “Category of aid” means assistance provided by the Oregon Supplemental Income Program,
12 aid granted under ORS 411.877 to 411.896 and 412.001 to 412.069 or federal Supplemental Security
13 Income payments.

14 (7) “Community health worker” means an individual who meets qualification criteria adopted
15 by the authority under ORS 414.665 and who:

16 (a) Has expertise or experience in public health;

17 (b) Works in an urban or rural community, either for pay or as a volunteer in association with
18 a local health care system;

19 (c) To the extent practicable, shares ethnicity, language, socioeconomic status and life experi-
20 ences with the residents of the community the worker serves;

21 (d) Assists members of the community to improve their health and increases the capacity of the
22 community to meet the health care needs of its residents and achieve wellness;

23 (e) Provides health education and information that is culturally appropriate to the individuals
24 being served;

25 (f) Assists community residents in receiving the care they need;

26 (g) May give peer counseling and guidance on health behaviors; and

27 (h) May provide direct services such as first aid or blood pressure screening.

28 (8) “Coordinated care organization” means an organization meeting criteria adopted by the
29 Oregon Health Authority under ORS 414.572.

30 **(9) “Dental subcontractor” means a prepaid managed care health services organization**
31 **that enters into a noncomprehensive risk contract with a coordinated care organization or**
32 **the Oregon Health Authority to provide dental services to medical assistance recipients.**

33 [(9)] (10) “Dually eligible for Medicare and Medicaid” means, with respect to eligibility for en-
34 rollment in a coordinated care organization, that an individual is eligible for health services funded
35 by Title XIX of the Social Security Act and is:

36 (a) Eligible for or enrolled in Part A of Title XVIII of the Social Security Act; or

37 (b) Enrolled in Part B of Title XVIII of the Social Security Act.

38 [(10)(a)] (11)(a) “Family support specialist” means an individual who meets qualification criteria
39 adopted by the authority under ORS 414.665 and who provides supportive services to and has expe-
40 rience parenting a child who:

41 (A) Is a current or former consumer of mental health or addiction treatment; or

42 (B) Is facing or has faced difficulties in accessing education, health and wellness services due
43 to a mental health or behavioral health barrier.

44 (b) A “family support specialist” may be a peer wellness specialist or a peer support specialist.

45 [(11)] (12) “Global budget” means a total amount established prospectively by the Oregon Health

1 Authority to be paid to a coordinated care organization for the delivery of, management of, access
2 to and quality of the health care delivered to members of the coordinated care organization.

3 [(12)] (13) “Health insurance exchange” or “exchange” means an American Health Benefit Ex-
4 change described in 42 U.S.C. 18031, 18032, 18033 and 18041.

5 [(13)] (14) “Health services” means at least so much of each of the following as are funded by
6 the Legislative Assembly based upon the prioritized list of health services compiled by the Health
7 Evidence Review Commission under ORS 414.690:

8 (a) Services required by federal law to be included in the state’s medical assistance program in
9 order for the program to qualify for federal funds;

10 (b) Services provided by a physician as defined in ORS 677.010, a nurse practitioner licensed
11 under ORS 678.375, a behavioral health clinician or other licensed practitioner within the scope of
12 the practitioner’s practice as defined by state law, and ambulance services;

13 (c) Prescription drugs;

14 (d) Laboratory and X-ray services;

15 (e) Medical equipment and supplies;

16 (f) Mental health services;

17 (g) Chemical dependency services;

18 (h) Emergency dental services;

19 (i) Nonemergency dental services;

20 (j) Provider services, other than services described in paragraphs (a) to (i), (k), (L) and (m) of
21 this subsection, defined by federal law that may be included in the state’s medical assistance pro-
22 gram;

23 (k) Emergency hospital services;

24 (L) Outpatient hospital services; and

25 (m) Inpatient hospital services.

26 [(14)] (15) “Income” has the meaning given that term in ORS 411.704.

27 [(15)(a)] (16)(a) “Integrated health care” means care provided to individuals and their families
28 in a patient centered primary care home or behavioral health home by licensed primary care
29 clinicians, behavioral health clinicians and other care team members, working together to address
30 one or more of the following:

31 (A) Mental illness.

32 (B) Substance use disorders.

33 (C) Health behaviors that contribute to chronic illness.

34 (D) Life stressors and crises.

35 (E) Developmental risks and conditions.

36 (F) Stress-related physical symptoms.

37 (G) Preventive care.

38 (H) Ineffective patterns of health care utilization.

39 (b) As used in this subsection, “other care team members” includes but is not limited to:

40 (A) Qualified mental health professionals or qualified mental health associates meeting require-
41 ments adopted by the Oregon Health Authority by rule;

42 (B) Peer wellness specialists;

43 (C) Peer support specialists;

44 (D) Community health workers who have completed a state-certified training program;

45 (E) Personal health navigators; or

1 (F) Other qualified individuals approved by the Oregon Health Authority.

2 [(16)] (17) "Investments and savings" means cash, securities as defined in ORS 59.015, negotiable
3 instruments as defined in ORS 73.0104 and such similar investments or savings as the department
4 or the authority may establish by rule that are available to the applicant or recipient to contribute
5 toward meeting the needs of the applicant or recipient.

6 [(17)] (18) "Medical assistance" means so much of the medical, mental health, preventive, sup-
7 portive, palliative and remedial care and services as may be prescribed by the authority according
8 to the standards established pursuant to ORS 414.065, including premium assistance under ORS
9 414.115 and 414.117, payments made for services provided under an insurance or other contractual
10 arrangement and money paid directly to the recipient for the purchase of health services and for
11 services described in ORS 414.710.

12 [(18)] (19) "Medical assistance" includes any care or services for any individual who is a patient
13 in a medical institution or any care or services for any individual who has attained 65 years of age
14 or is under 22 years of age, and who is a patient in a private or public institution for mental dis-
15 eases. Except as provided in ORS 411.439 and 411.447, "medical assistance" does not include care
16 or services for a resident of a nonmedical public institution.

17 [(19)] (20) "Patient centered primary care home" means a health care team or clinic that is or-
18 ganized in accordance with the standards established by the Oregon Health Authority under ORS
19 414.655 and that incorporates the following core attributes:

- 20 (a) Access to care;
- 21 (b) Accountability to consumers and to the community;
- 22 (c) Comprehensive whole person care;
- 23 (d) Continuity of care;
- 24 (e) Coordination and integration of care; and
- 25 (f) Person and family centered care.

26 [(20)] (21) "Peer support specialist" means any of the following individuals who meet qualifica-
27 tion criteria adopted by the authority under ORS 414.665 and who provide supportive services to a
28 current or former consumer of mental health or addiction treatment:

- 29 (a) An individual who is a current or former consumer of mental health treatment; or
- 30 (b) An individual who is in recovery, as defined by the Oregon Health Authority by rule, from
31 an addiction disorder.

32 [(21)] (22) "Peer wellness specialist" means an individual who meets qualification criteria
33 adopted by the authority under ORS 414.665 and who is responsible for assessing mental health and
34 substance use disorder service and support needs of a member of a coordinated care organization
35 through community outreach, assisting members with access to available services and resources,
36 addressing barriers to services and providing education and information about available resources
37 for individuals with mental health or substance use disorders in order to reduce stigma and dis-
38 crimination toward consumers of mental health and substance use disorder services and to assist the
39 member in creating and maintaining recovery, health and wellness.

40 [(22)] (23) "Person centered care" means care that:

- 41 (a) Reflects the individual patient's strengths and preferences;
- 42 (b) Reflects the clinical needs of the patient as identified through an individualized assessment;
43 and
- 44 (c) Is based upon the patient's goals and will assist the patient in achieving the goals.

45 [(23)] (24) "Personal health navigator" means an individual who meets qualification criteria

1 adopted by the authority under ORS 414.665 and who provides information, assistance, tools and
2 support to enable a patient to make the best health care decisions in the patient's particular cir-
3 cumstances and in light of the patient's needs, lifestyle, combination of conditions and desired out-
4 comes.

5 [(24)] **(25)** "Prepaid managed care health services organization" means a managed dental care,
6 mental health or chemical dependency organization that contracts with the authority under ORS
7 414.654 or with a coordinated care organization on a prepaid capitated basis to provide health ser-
8 vices to medical assistance recipients.

9 [(25)] **(26)** "Quality measure" means the health outcome and quality measures and benchmarks
10 identified by the Health Plan Quality Metrics Committee and the metrics and scoring subcommittee
11 in accordance with ORS 413.017 (4) and 413.022 and the quality metrics developed by the Behavioral
12 Health Committee in accordance with ORS 413.017 (5).

13 [(26)(a)] **(27)(a)** "Quality of life in general measure" means an assessment of the value, effec-
14 tiveness or cost-effectiveness of a treatment that gives greater value to a year of life lived in perfect
15 health than the value given to a year of life lived in less than perfect health.

16 (b) "Quality of life in general measure" does not mean an assessment of the value, effectiveness
17 or cost-effectiveness of a treatment during a clinical trial in which a study participant is asked to
18 rate the participant's physical function, pain, general health, vitality, social functions or other sim-
19 ilar domains.

20 [(27)] **(28)** "Resources" has the meaning given that term in ORS 411.704. For eligibility purposes,
21 "resources" does not include charitable contributions raised by a community to assist with medical
22 expenses.

23 [(28)] **(29)** "Social determinants of health" means:

24 (a) Nonmedical factors that influence health outcomes;

25 (b) The conditions in which individuals are born, grow, work, live and age; and

26 (c) The forces and systems that shape the conditions of daily life, such as economic policies and
27 systems, development agendas, social norms, social policies, racism, climate change and political
28 systems.

29 [(29)] **(30)** "Tribal traditional health worker" means an individual who meets qualification cri-
30 teria adopted by the authority under ORS 414.665 and who:

31 (a) Has expertise or experience in public health;

32 (b) Works in a tribal community or an urban Indian community, either for pay or as a volunteer
33 in association with a local health care system;

34 (c) To the extent practicable, shares ethnicity, language, socioeconomic status and life experi-
35 ences with the residents of the community the worker serves;

36 (d) Assists members of the community to improve their health, including physical, behavioral and
37 oral health, and increases the capacity of the community to meet the health care needs of its resi-
38 dents and achieve wellness;

39 (e) Provides health education and information that is culturally appropriate to the individuals
40 being served;

41 (f) Assists community residents in receiving the care they need;

42 (g) May give peer counseling and guidance on health behaviors; and

43 (h) May provide direct services, such as tribal-based practices.

44 [(30)(a)] **(31)(a)** "Youth support specialist" means an individual who meets qualification criteria
45 adopted by the authority under ORS 414.665 and who, based on a similar life experience, provides

1 supportive services to an individual who:

2 (A) Is not older than 30 years of age; and

3 (B)(i) Is a current or former consumer of mental health or addiction treatment; or

4 (ii) Is facing or has faced difficulties in accessing education, health and wellness services due
5 to a mental health or behavioral health barrier.

6 (b) A “youth support specialist” may be a peer wellness specialist or a peer support specialist.

7 **SECTION 2.** ORS 414.025, as amended by section 2, chapter 628, Oregon Laws 2021, and section
8 6, chapter 18, Oregon Laws 2024, is amended to read:

9 414.025. As used in this chapter and ORS chapters 411 and 413, unless the context or a specially
10 applicable statutory definition requires otherwise:

11 (1)(a) “Alternative payment methodology” means a payment other than a fee-for-services pay-
12 ment, used by coordinated care organizations as compensation for the provision of integrated and
13 coordinated health care and services.

14 (b) “Alternative payment methodology” includes, but is not limited to:

15 (A) Shared savings arrangements;

16 (B) Bundled payments; and

17 (C) Payments based on episodes.

18 (2) “Behavioral health assessment” means an evaluation by a behavioral health clinician, in
19 person or using telemedicine, to determine a patient’s need for immediate crisis stabilization.

20 (3) “Behavioral health clinician” means:

21 (a) A licensed psychiatrist;

22 (b) A licensed psychologist;

23 (c) A licensed nurse practitioner with a specialty in psychiatric mental health;

24 (d) A licensed clinical social worker;

25 (e) A licensed professional counselor or licensed marriage and family therapist;

26 (f) A certified clinical social work associate;

27 (g) An intern or resident who is working under a board-approved supervisory contract in a
28 clinical mental health field; or

29 (h) Any other clinician whose authorized scope of practice includes mental health diagnosis and
30 treatment.

31 (4) “Behavioral health crisis” means a disruption in an individual’s mental or emotional stability
32 or functioning resulting in an urgent need for immediate outpatient treatment in an emergency de-
33 partment or admission to a hospital to prevent a serious deterioration in the individual’s mental or
34 physical health.

35 (5) “Behavioral health home” means a mental health disorder or substance use disorder treat-
36 ment organization, as defined by the Oregon Health Authority by rule, that provides integrated
37 health care to individuals whose primary diagnoses are mental health disorders or substance use
38 disorders.

39 (6) “Category of aid” means assistance provided by the Oregon Supplemental Income Program,
40 aid granted under ORS 411.877 to 411.896 and 412.001 to 412.069 or federal Supplemental Security
41 Income payments.

42 (7) “Community health worker” means an individual who meets qualification criteria adopted
43 by the authority under ORS 414.665 and who:

44 (a) Has expertise or experience in public health;

45 (b) Works in an urban or rural community, either for pay or as a volunteer in association with

1 a local health care system;

2 (c) To the extent practicable, shares ethnicity, language, socioeconomic status and life experi-
3 ences with the residents of the community the worker serves;

4 (d) Assists members of the community to improve their health and increases the capacity of the
5 community to meet the health care needs of its residents and achieve wellness;

6 (e) Provides health education and information that is culturally appropriate to the individuals
7 being served;

8 (f) Assists community residents in receiving the care they need;

9 (g) May give peer counseling and guidance on health behaviors; and

10 (h) May provide direct services such as first aid or blood pressure screening.

11 (8) "Coordinated care organization" means an organization meeting criteria adopted by the
12 Oregon Health Authority under ORS 414.572.

13 **(9) "Dental subcontractor" means a prepaid managed care health services organization**
14 **that enters into a noncomprehensive risk contract with a coordinated care organization or**
15 **the Oregon Health Authority to provide dental services to medical assistance recipients.**

16 [(9)] (10) "Dually eligible for Medicare and Medicaid" means, with respect to eligibility for en-
17 rollment in a coordinated care organization, that an individual is eligible for health services funded
18 by Title XIX of the Social Security Act and is:

19 (a) Eligible for or enrolled in Part A of Title XVIII of the Social Security Act; or

20 (b) Enrolled in Part B of Title XVIII of the Social Security Act.

21 [(10)(a)] (11)(a) "Family support specialist" means an individual who meets qualification criteria
22 adopted by the authority under ORS 414.665 and who provides supportive services to and has experi-
23 ence parenting a child who:

24 (A) Is a current or former consumer of mental health or addiction treatment; or

25 (B) Is facing or has faced difficulties in accessing education, health and wellness services due
26 to a mental health or behavioral health barrier.

27 (b) A "family support specialist" may be a peer wellness specialist or a peer support specialist.

28 [(11)] (12) "Global budget" means a total amount established prospectively by the Oregon Health
29 Authority to be paid to a coordinated care organization for the delivery of, management of, access
30 to and quality of the health care delivered to members of the coordinated care organization.

31 [(12)] (13) "Health insurance exchange" or "exchange" means an American Health Benefit Ex-
32 change described in 42 U.S.C. 18031, 18032, 18033 and 18041.

33 [(13)] (14) "Health services" means at least so much of each of the following as are funded by
34 the Legislative Assembly based upon the prioritized list of health services compiled by the Health
35 Evidence Review Commission under ORS 414.690:

36 (a) Services required by federal law to be included in the state's medical assistance program in
37 order for the program to qualify for federal funds;

38 (b) Services provided by a physician as defined in ORS 677.010, a nurse practitioner licensed
39 under ORS 678.375, a behavioral health clinician or other licensed practitioner within the scope of
40 the practitioner's practice as defined by state law, and ambulance services;

41 (c) Prescription drugs;

42 (d) Laboratory and X-ray services;

43 (e) Medical equipment and supplies;

44 (f) Mental health services;

45 (g) Chemical dependency services;

1 (h) Emergency dental services;

2 (i) Nonemergency dental services;

3 (j) Provider services, other than services described in paragraphs (a) to (i), (k), (L) and (m) of
4 this subsection, defined by federal law that may be included in the state's medical assistance pro-
5 gram;

6 (k) Emergency hospital services;

7 (L) Outpatient hospital services; and

8 (m) Inpatient hospital services.

9 [(14)] (15) "Income" has the meaning given that term in ORS 411.704.

10 [(15)(a)] (16)(a) "Integrated health care" means care provided to individuals and their families
11 in a patient centered primary care home or behavioral health home by licensed primary care
12 clinicians, behavioral health clinicians and other care team members, working together to address
13 one or more of the following:

14 (A) Mental illness.

15 (B) Substance use disorders.

16 (C) Health behaviors that contribute to chronic illness.

17 (D) Life stressors and crises.

18 (E) Developmental risks and conditions.

19 (F) Stress-related physical symptoms.

20 (G) Preventive care.

21 (H) Ineffective patterns of health care utilization.

22 (b) As used in this subsection, "other care team members" includes but is not limited to:

23 (A) Qualified mental health professionals or qualified mental health associates meeting require-
24 ments adopted by the Oregon Health Authority by rule;

25 (B) Peer wellness specialists;

26 (C) Peer support specialists;

27 (D) Community health workers who have completed a state-certified training program;

28 (E) Personal health navigators; or

29 (F) Other qualified individuals approved by the Oregon Health Authority.

30 [(16)] (17) "Investments and savings" means cash, securities as defined in ORS 59.015, negotiable
31 instruments as defined in ORS 73.0104 and such similar investments or savings as the department
32 or the authority may establish by rule that are available to the applicant or recipient to contribute
33 toward meeting the needs of the applicant or recipient.

34 [(17)] (18) "Medical assistance" means so much of the medical, mental health, preventive, sup-
35 portive, palliative and remedial care and services as may be prescribed by the authority according
36 to the standards established pursuant to ORS 414.065, including premium assistance under ORS
37 414.115 and 414.117, payments made for services provided under an insurance or other contractual
38 arrangement and money paid directly to the recipient for the purchase of health services and for
39 services described in ORS 414.710.

40 [(18)] (19) "Medical assistance" includes any care or services for any individual who is a patient
41 in a medical institution or any care or services for any individual who has attained 65 years of age
42 or is under 22 years of age, and who is a patient in a private or public institution for mental dis-
43 eases. Except as provided in ORS 411.439 and 411.447, "medical assistance" does not include care
44 or services for a resident of a nonmedical public institution.

45 [(19)] (20) "Mental health drug" means a type of legend drug, as defined in ORS 414.325, speci-

1 fied by the Oregon Health Authority by rule, including but not limited to:

- 2 (a) Therapeutic class 7 ataractics-tranquilizers; and
- 3 (b) Therapeutic class 11 psychostimulants-antidepressants.

4 [(20)] **(21)** “Patient centered primary care home” means a health care team or clinic that is or-
5 ganized in accordance with the standards established by the Oregon Health Authority under ORS
6 414.655 and that incorporates the following core attributes:

- 7 (a) Access to care;
- 8 (b) Accountability to consumers and to the community;
- 9 (c) Comprehensive whole person care;
- 10 (d) Continuity of care;
- 11 (e) Coordination and integration of care; and
- 12 (f) Person and family centered care.

13 [(21)] **(22)** “Peer support specialist” means any of the following individuals who meet qualifica-
14 tion criteria adopted by the authority under ORS 414.665 and who provide supportive services to a
15 current or former consumer of mental health or addiction treatment:

- 16 (a) An individual who is a current or former consumer of mental health treatment; or
- 17 (b) An individual who is in recovery, as defined by the Oregon Health Authority by rule, from
18 an addiction disorder.

19 [(22)] **(23)** “Peer wellness specialist” means an individual who meets qualification criteria
20 adopted by the authority under ORS 414.665 and who is responsible for assessing mental health and
21 substance use disorder service and support needs of a member of a coordinated care organization
22 through community outreach, assisting members with access to available services and resources,
23 addressing barriers to services and providing education and information about available resources
24 for individuals with mental health or substance use disorders in order to reduce stigma and dis-
25 crimination toward consumers of mental health and substance use disorder services and to assist the
26 member in creating and maintaining recovery, health and wellness.

27 [(23)] **(24)** “Person centered care” means care that:

- 28 (a) Reflects the individual patient’s strengths and preferences;
- 29 (b) Reflects the clinical needs of the patient as identified through an individualized assessment;

30 and

- 31 (c) Is based upon the patient’s goals and will assist the patient in achieving the goals.

32 [(24)] **(25)** “Personal health navigator” means an individual who meets qualification criteria
33 adopted by the authority under ORS 414.665 and who provides information, assistance, tools and
34 support to enable a patient to make the best health care decisions in the patient’s particular cir-
35 cumstances and in light of the patient’s needs, lifestyle, combination of conditions and desired out-
36 comes.

37 [(25)] **(26)** “Prepaid managed care health services organization” means a managed dental care,
38 mental health or chemical dependency organization that contracts with the authority under ORS
39 414.654 or with a coordinated care organization on a prepaid capitated basis to provide health ser-
40 vices to medical assistance recipients.

41 [(26)] **(27)** “Quality measure” means the health outcome and quality measures and benchmarks
42 identified by the Health Plan Quality Metrics Committee and the metrics and scoring subcommittee
43 in accordance with ORS 413.017 (4) and 413.022 and the quality metrics developed by the Behavioral
44 Health Committee in accordance with ORS 413.017 (5).

45 [(27)(a)] **(28)(a)** “Quality of life in general measure” means an assessment of the value, effec-

1 tiveness or cost-effectiveness of a treatment that gives greater value to a year of life lived in perfect
2 health than the value given to a year of life lived in less than perfect health.

3 (b) “Quality of life in general measure” does not mean an assessment of the value, effectiveness
4 or cost-effectiveness of a treatment during a clinical trial in which a study participant is asked to
5 rate the participant’s physical function, pain, general health, vitality, social functions or other sim-
6 ilar domains.

7 [(28)] (29) “Resources” has the meaning given that term in ORS 411.704. For eligibility purposes,
8 “resources” does not include charitable contributions raised by a community to assist with medical
9 expenses.

10 [(29)] (30) “Social determinants of health” means:

11 (a) Nonmedical factors that influence health outcomes;

12 (b) The conditions in which individuals are born, grow, work, live and age; and

13 (c) The forces and systems that shape the conditions of daily life, such as economic policies and
14 systems, development agendas, social norms, social policies, racism, climate change and political
15 systems.

16 [(30)] (31) “Tribal traditional health worker” means an individual who meets qualification cri-
17 teria adopted by the authority under ORS 414.665 and who:

18 (a) Has expertise or experience in public health;

19 (b) Works in a tribal community or an urban Indian community, either for pay or as a volunteer
20 in association with a local health care system;

21 (c) To the extent practicable, shares ethnicity, language, socioeconomic status and life experi-
22 ences with the residents of the community the worker serves;

23 (d) Assists members of the community to improve their health, including physical, behavioral and
24 oral health, and increases the capacity of the community to meet the health care needs of its resi-
25 dents and achieve wellness;

26 (e) Provides health education and information that is culturally appropriate to the individuals
27 being served;

28 (f) Assists community residents in receiving the care they need;

29 (g) May give peer counseling and guidance on health behaviors; and

30 (h) May provide direct services, such as tribal-based practices.

31 [(31)(a)] (32)(a) “Youth support specialist” means an individual who meets qualification criteria
32 adopted by the authority under ORS 414.665 and who, based on a similar life experience, provides
33 supportive services to an individual who:

34 (A) Is not older than 30 years of age; and

35 (B)(i) Is a current or former consumer of mental health or addiction treatment; or

36 (ii) Is facing or has faced difficulties in accessing education, health and wellness services due
37 to a mental health or behavioral health barrier.

38 (b) A “youth support specialist” may be a peer wellness specialist or a peer support specialist.

39 **SECTION 3.** ORS 414.572 is amended to read:

40 414.572. (1) The Oregon Health Authority shall adopt by rule the qualification criteria and re-
41 quirements for a coordinated care organization and shall integrate the criteria and requirements
42 into each contract with a coordinated care organization. Coordinated care organizations may be
43 local, community-based organizations or statewide organizations with community-based participation
44 in governance or any combination of the two. Coordinated care organizations may contract with
45 counties or with other public or private entities to provide services to members. The authority may

1 not contract with only one statewide organization. A coordinated care organization may be a single
2 corporate structure or a network of providers organized through contractual relationships. The cri-
3 teria and requirements adopted by the authority under this section must include, but are not limited
4 to, a requirement that the coordinated care organization:

5 (a) Have demonstrated experience and a capacity for managing financial risk and establishing
6 financial reserves.

7 (b) Meet the following minimum financial requirements:

8 (A) Maintain restricted reserves of \$250,000 plus an amount equal to 50 percent of the coordi-
9 nated care organization's total actual or projected liabilities above \$250,000.

10 (B) Maintain capital or surplus of not less than \$2,500,000 and any additional amounts necessary
11 to ensure the solvency of the coordinated care organization, as specified by the authority by rules
12 that are consistent with ORS 731.554 (6), 732.225, 732.230 and 750.045.

13 (C) Expend a portion of the annual net income or reserves of the coordinated care organization
14 that exceed the financial requirements specified in this paragraph on services designed to address
15 health disparities and the social determinants of health consistent with the coordinated care
16 organization's community health improvement plan and transformation plan and the terms and con-
17 ditions of the Medicaid demonstration project under section 1115 of the Social Security Act (42
18 U.S.C. 1315).

19 (c) Operate within a fixed global budget and other payment mechanisms described in subsection
20 (6) of this section and spend on primary care, as defined by the authority by rule, at least 12 percent
21 of the coordinated care organization's total expenditures for physical and mental health care pro-
22 vided to members, except for expenditures on prescription drugs, vision care and dental care.

23 (d) Develop and implement alternative payment methodologies that are based on health care
24 quality and improved health outcomes.

25 (e) Coordinate the delivery of physical health care, behavioral health care, oral health care and
26 covered long-term care services.

27 (f) Engage community members and health care providers in improving the health of the com-
28 munity and addressing regional, cultural, socioeconomic and racial disparities in health care that
29 exist among the coordinated care organization's members and in the coordinated care organization's
30 community.

31 (2) In addition to the criteria and requirements specified in subsection (1) of this section, the
32 authority must adopt by rule requirements for coordinated care organizations contracting with the
33 authority so that:

34 (a) Each member of the coordinated care organization receives integrated person centered care
35 and services designed to provide choice, independence and dignity.

36 (b) Each member has a consistent and stable relationship with a care team that is responsible
37 for comprehensive care management and service delivery.

38 (c) The supportive and therapeutic needs of each member are addressed in a holistic fashion,
39 using patient centered primary care homes, behavioral health homes or other models that support
40 patient centered primary care and behavioral health care and individualized care plans to the extent
41 feasible.

42 (d) Members receive comprehensive transitional care, including appropriate follow-up, when en-
43 tering and leaving an acute care facility or a long term care setting.

44 (e) Members are provided:

45 (A) Assistance in navigating the health care delivery system;

- 1 (B) Assistance in accessing community and social support services and statewide resources;
- 2 (C) Meaningful language access as required by federal and state law including, but not limited
3 to, 42 U.S.C. 18116, Title VI of the Civil Rights Act of 1964, Title VI Guidance issued by the United
4 States Department of Justice and the National Standards for Culturally and Linguistically Appropriate
5 Services in Health and Health Care as issued by the United States Department of Health and
6 Human Services; and
- 7 (D) Qualified health care interpreters or certified health care interpreters listed on the health
8 care interpreter registry, as those terms are defined in ORS 413.550.
- 9 (f) Services and supports are geographically located as close to where members reside as possible
10 and are, if available, offered in nontraditional settings that are accessible to families, diverse
11 communities and underserved populations.
- 12 (g) Each coordinated care organization uses health information technology to link services and
13 care providers across the continuum of care to the greatest extent practicable and if financially viable.
14
- 15 (h) Each coordinated care organization complies with the safeguards for members described in
16 ORS 414.605.
- 17 (i) Each coordinated care organization convenes a community advisory council that meets the
18 criteria specified in ORS 414.575.
- 19 (j) Each coordinated care organization prioritizes working with members who have high health
20 care needs, multiple chronic conditions or behavioral health conditions and involves those members
21 in accessing and managing appropriate preventive, health, remedial and supportive care and services,
22 including the services described in ORS 414.766, to reduce the use of avoidable emergency
23 room visits and hospital admissions.
- 24 (k) Members have a choice of providers within the coordinated care organization's network and
25 that providers participating in a coordinated care organization:
- 26 (A) Work together to develop best practices for care and service delivery to reduce waste and
27 improve the health and well-being of members.
- 28 (B) Are educated about the integrated approach and how to access and communicate within the
29 integrated system about a patient's treatment plan and health history.
- 30 (C) Emphasize prevention, healthy lifestyle choices, evidence-based practices, shared decision-
31 making and communication.
- 32 (D) Are permitted to participate in the networks of multiple coordinated care organizations.
- 33 (E) Include providers of specialty care.
- 34 (F) Are selected by coordinated care organizations using universal application and credentialing
35 procedures and objective quality information and are removed if the providers fail to meet objective
36 quality standards.
- 37 (G) Work together to develop best practices for culturally and linguistically appropriate care
38 and service delivery to reduce waste, reduce health disparities and improve the health and well-
39 being of members.
- 40 (L) Each coordinated care organization reports on outcome and quality measures adopted under
41 ORS 413.022 and participates in the health care data reporting system established in ORS 442.372
42 and 442.373.
- 43 (m) Each coordinated care organization uses best practices in the management of finances,
44 contracts, claims processing, payment functions and provider networks.
- 45 (n) Each coordinated care organization participates in the learning collaborative described in

1 ORS 413.259 (3).

2 (o) Each coordinated care organization has a governing body that complies with ORS 414.584
3 and that includes:

4 (A) At least one member representing persons that share in the financial risk of the organiza-
5 tion;

6 (B) A representative of a dental [*care organization*] **subcontractor** selected by the coordinated
7 care organization;

8 (C) The major components of the health care delivery system;

9 (D) At least two health care providers in active practice, including:

10 (i) A physician licensed under ORS chapter 677 or a nurse practitioner licensed under ORS
11 678.375, whose area of practice is primary care; and

12 (ii) A behavioral health provider;

13 (E) At least two members from the community at large, to ensure that the organization's
14 decision-making is consistent with the values of the members and the community; and

15 (F) At least two members of the community advisory council, one of whom is or was within the
16 previous six months a recipient of medical assistance and is at least 16 years of age or a parent,
17 guardian or primary caregiver of an individual who is or was within the previous six months a re-
18 cipient of medical assistance.

19 (p) Each coordinated care organization's governing body establishes standards for publicizing
20 the activities of the coordinated care organization and the organization's community advisory
21 councils, as necessary, to keep the community informed.

22 (q) Each coordinated care organization publishes on a website maintained by or on behalf of the
23 coordinated care organization, in a manner determined by the authority, a document designed to
24 educate members about best practices, care quality expectations, screening practices, treatment
25 options and other support resources available for members who have mental illnesses or substance
26 use disorders.

27 (r) Each coordinated care organization works with the Tribal Advisory Council established in
28 ORS 414.581 and has a dedicated tribal liaison, selected by the council, to:

29 (A) Facilitate a resolution of any issues that arise between the coordinated care organization
30 and a provider of Indian health services within the area served by the coordinated care organiza-
31 tion;

32 (B) Participate in the community health assessment and the development of the health im-
33 provement plan;

34 (C) Communicate regularly with the Tribal Advisory Council; and

35 (D) Be available for training by the office within the authority that is responsible for tribal af-
36 fairs, any federally recognized tribe in Oregon and the urban Indian health program that is located
37 within the area served by the coordinated care organization and operated by an urban Indian or-
38 ganization pursuant to 25 U.S.C. 1651.

39 (3) The authority shall consider the participation of area agencies and other nonprofit agencies
40 in the configuration of coordinated care organizations.

41 (4) In selecting one or more coordinated care organizations to serve a geographic area, the au-
42 thority shall:

43 (a) For members and potential members, optimize access to care and choice of providers;

44 (b) For providers, optimize choice in contracting with coordinated care organizations; and

45 (c) Allow more than one coordinated care organization to serve the geographic area if necessary

1 to optimize access and choice under this subsection.

2 (5)(a) [On or before July 1, 2014, each coordinated care organization must have a formal contrac-
3 tual relationship with any dental care organization that serves members of the coordinated care or-
4 ganization in the area where they reside.] **The authority shall:**

5 (A) **Adopt by rule the requirements for a dental subcontractor that contracts with a co-**
6 **ordinated care organization; and**

7 (B) **Incorporate the requirements adopted under this subsection into any contract en-**
8 **tered into between the authority and a coordinated care organization under this section.**

9 (b) **The authority may not require a dental subcontractor that contracts with a coordi-**
10 **nated care organization to produce any report or other information unless the requirement**
11 **is established by state or federal statute, rule or regulation.**

12 (6) In addition to global budgets, the authority may employ other payment mechanisms to reim-
13 burse coordinated care organizations for specified health services during limited periods of time if:

14 (a) Global budgets remain the primary means of reimbursing coordinated care organizations for
15 care and services provided to the coordinated care organization’s members;

16 (b) The other payment mechanisms are consistent with the legislative intent expressed in ORS
17 414.018 and the system design described in ORS 414.570 (1); and

18 (c) The payment mechanisms are employed only for health-related social needs services, such
19 as housing supports, nutritional assistance and climate-related assistance, approved for the demon-
20 stration project under 42 U.S.C. 1315 by the Centers for Medicare and Medicaid Services.

21 **SECTION 4.** ORS 413.614 is amended to read:

22 413.614. (1) As used in this section:

23 (a) “COFA citizen” means an individual who is a citizen of:

24 (A) The Republic of the Marshall Islands;

25 (B) The Federated States of Micronesia; or

26 (C) The Republic of Palau.

27 (b) [“Dental care organization” means a prepaid managed care health services organization, as
28 defined in ORS 414.025, that provides dental care to members of a coordinated care organization.]

29 **“Dental subcontractor” has the meaning given that term in ORS 414.025.**

30 (c) “Income” means the modified adjusted gross income that is attributed to an individual in
31 determining the individual’s eligibility for the medical assistance program.

32 (2) The COFA Dental Program is established in the Oregon Health Authority. The purpose of
33 the program is to provide oral health care to low-income citizens of the island nations in the Com-
34 pact of Free Association who are residing in Oregon.

35 (3) The authority shall contract with dental [*care organizations*] **subcontractors** throughout this
36 state, and with individual oral health care providers in areas of this state that are not served by
37 dental [*care organizations*] **subcontractors**, to provide oral health care to COFA citizens enrolled
38 in the COFA Dental Program.

39 (4) Enrollees in the COFA Dental Program shall receive the types and extent of oral health care
40 services that the authority determines will be provided to medical assistance recipients in accord-
41 ance with ORS 414.065, without any corresponding copayments, deductibles or cost sharing required.

42 (5) An individual is eligible for the COFA Dental Program if the individual:

43 (a) Is a resident of Oregon;

44 (b) Is a COFA citizen;

45 (c) Has income that is less than 138 percent of the federal poverty guidelines; and

1 (d) Does not qualify for Medicaid under Title XIX of the Social Security Act or the Children's
2 Health Insurance Program under Title XXI of the Social Security Act.

3 (6) The authority may use the application process described in ORS 411.400 for the COFA Dental
4 Program. The authority shall provide culturally and linguistically appropriate assistance, in person
5 and by telephone, to applicants for and enrollees in the program. The application process, forms and
6 notices used in the COFA Dental Program must conform to the guidance adopted by the United
7 States Department of Health and Human Services, in accordance with Title VI of the Civil Rights
8 Act of 1964, regarding the prohibition against national origin discrimination affecting persons with
9 limited English proficiency in federally funded programs.

10 (7) The authority shall accept as verification of eligibility the attestation of an applicant for or
11 enrollee in the COFA Dental Program that the applicant or enrollee meets the requirements of
12 subsection (5) of this section.

13 (8) The authority shall conduct a comprehensive community education and outreach campaign,
14 working with stakeholder and community organizations, to facilitate applications for and enrollment
15 in the COFA Dental Program.

16 (9) The authority may not disclose personally identifying information about applicants for or
17 enrollees in the COFA Dental Program except to the extent necessary to conduct outreach under
18 subsection (8) of this section or to comply with federal or state laws.

19 **SECTION 5.** ORS 413.650 is amended to read:

20 413.650. (1) As used in this section:

21 [(a) "Dental care organization" means a prepaid managed care health services organization, as
22 defined in ORS 414.025, that provides dental care to members of a coordinated care organization.]

23 [(b)] (a) "**Dental subcontractor**" and "medical assistance" [has] **have** the meaning given [that
24 term] **those terms** in ORS 414.025.

25 [(c)] (b) "Veteran" means an individual who is a veteran, as defined in ORS 408.225, except the
26 individual may be discharged or released under honorable or other than honorable conditions.

27 (2) The Veterans Dental Program is established in the Oregon Health Authority and shall be
28 administered in collaboration with the Department of Consumer and Business Services. The purpose
29 of the program is to provide oral health care to eligible veterans who are residing in Oregon.

30 (3) The authority shall contract with dental [care organizations] **subcontractors** throughout this
31 state and with individual oral health care providers in areas of this state that are not served by
32 dental [care organizations] **subcontractors** to provide oral health care to veterans enrolled in the
33 Veterans Dental Program.

34 (4) Enrollees in the Veterans Dental Program shall receive the types and extent of oral health
35 care services that the authority determines will be provided to medical assistance recipients in ac-
36 cordance with ORS 414.065, without any corresponding copayments, deductibles or cost sharing re-
37 quired.

38 (5) An individual is eligible for the Veterans Dental Program if the individual:

39 (a) Is a resident of Oregon;

40 (b) Is ineligible for medical assistance;

41 (c) Has income that is at or below 400 percent of the federal poverty guidelines; and

42 (d) Is a veteran.

43 (6) The authority shall:

44 (a) Prescribe by rule a simple application process for the Veterans Dental Program.

45 (b) Provide assistance, in person or by telephone, to applicants for and enrollees in the program.

1 (c) Require and accept as verification of eligibility:

2 (A) Documentation demonstrating that an applicant's income is at or below 400 percent of the
3 federal poverty guidelines.

4 (B) An applicant's federal DD Form 214 or 215.

5 **SECTION 6.** ORS 414.430 is amended to read:

6 414.430. (1) The Oregon Health Authority shall prescribe by rule appropriate time frames within
7 which a pregnant medical assistance recipient whose medical assistance is reimbursed on a fee-for-
8 service basis and who needs general or specialty dental care must have the opportunity to be seen,
9 or referred for, and provided:

10 (a) Emergency dental services;

11 (b) Urgent dental services;

12 (c) Routine dental services; and

13 (d) An initial dental screening or examination.

14 (2) The time frames prescribed by the authority for recipients whose medical assistance is re-
15 imbursement on a fee-for-service basis shall be the same as or shorter than the time frames for pregnant
16 recipients enrolled in coordinated care organizations [*and dental care organizations*] **who receive**
17 **dental services from dental subcontractors.**

18 **SECTION 7.** ORS 679.540 is amended to read:

19 679.540. (1) As used in this section:

20 (a) "Dental provider" means a licensed dentist, dental hygienist or other dental practitioner or
21 a dental care team or clinic that provides the following core services:

22 (A) Comprehensive dental care;

23 (B) Basic preventive dental services;

24 (C) Referral to dental specialists; and

25 (D) Family centered dental care.

26 (b) "Health worker" means "traditional health worker" as defined by the Oregon Health Au-
27 thority by rule.

28 (2) The Oregon Health Authority, in consultation with coordinated care organizations and dental
29 [*care organizations*] **subcontractors** in this state, shall adopt rules and procedures for the training
30 and certification of health workers to provide oral disease prevention services and for the re-
31 imbursement of oral disease prevention services provided by certified health workers.

32 (3) The rules adopted under subsection (2) of this section must prescribe the training required
33 for certification, including instruction on:

34 (a) The performance of dental risk assessments; and

35 (b) The provision of oral disease prevention services.

36 (4) The authority shall adopt rules requiring that a certified health worker:

37 (a) Refer patients to dental providers; and

38 (b) Recommend to patients, or to the parent or legal guardian of a patient, that the patient visit
39 a dental provider at least once annually.

40 **SECTION 8. The amendments to ORS 414.572 by section 3 of this 2025 Act apply to con-**
41 **tracts between a coordinated care organization and the Oregon Health Authority entered**
42 **into, amended or renewed on or after the operative date specified in section 9 of this 2025**
43 **Act.**

44 **SECTION 9. (1) The amendments to ORS 414.572 by section 3 of this 2025 Act become**
45 **operative on January 1, 2026.**

1 **(2) The Oregon Health Authority may take any action before the operative date specified**
2 **in subsection (1) of this section that is necessary to enable the authority to exercise, on and**
3 **after the operative date specified in subsection (1) of this section, all of the duties, functions**
4 **and powers conferred on the authority by the amendments to ORS 414.572 by section 3 of this**
5 **2025 Act.**

6 **SECTION 10.** **This 2025 Act takes effect on the 91st day after the date on which the 2025**
7 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

8