

Senate Bill 782

Sponsored by Senator NASH, Representative LEVY B (Pre-session filed.)

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

Digest: The Act increases the amount of grant funds a county may receive to fund a deflection program. (Flesch Readability Score: 65.1).

Increases the minimum amount of grant funds that a county may receive to fund a behavioral health deflection program.

A BILL FOR AN ACT

1
2 Relating to behavioral health deflection programs; amending section 76, chapter 70, Oregon Laws
3 2024.

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

5 **SECTION 1.** Section 76, chapter 70, Oregon Laws 2024, is amended to read:

6 **Sec. 76.** (1) As used in this section, "deflection program" means a collaborative program be-
7 tween law enforcement agencies and behavioral health entities that assists individuals who may
8 have substance use disorder, another behavioral health disorder or co-occurring disorders, to create
9 community-based pathways to treatment, recovery support services, housing, case management or
10 other services.

11 (2) The Oregon Behavioral Health Deflection Program is established within the Improving
12 People's Access to Community-based Treatment, Supports and Services Grant Review Committee
13 established under ORS 430.234. The program consists of grants awarded by the committee to coun-
14 ties and federally recognized tribal governments to fund deflection programs.

15 (3)(a) The purpose of the program described in this section is to:

16 (A) Address the need for more deflection programs to assist individuals whose behavioral health
17 conditions, including substance use disorder, lead to interactions with law enforcement,
18 incarceration, conviction and other engagement with the criminal justice system.

19 (B) Track and report data concerning deflection program outcomes in order to determine the
20 best practices for deflection programs within this state.

21 (b) ORS 430.230 to 430.236 do not apply to the program described in this section.

22 (4)(a) The committee shall develop a grant application process for awarding grants under this
23 section.

24 (b) An application for a grant under this section may be submitted by a county or the designee
25 of a county, or by a tribal government or designee of a tribal government. Only one application per
26 county may be submitted, but the application may request funding multiple programs within a
27 county.

28 (c) Prior to submitting an application for a grant under this section, the applicant shall coordi-
29 nate with all partners of the development and administration of the proposed deflection program to
30 ensure that the partners have the resources necessary to implement the deflection program. The

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 partners shall include at least a district attorney, a law enforcement agency, a community mental
2 health program established under ORS 430.620 and a provider from a Behavioral Health Resource
3 Network established under ORS 430.389. Partners may also include a treatment provider, a local
4 mental health authority, a tribal government, a peer support organization, a court or a local gov-
5 ernment body.

6 (d) An application for a grant under this section must contain:

7 (A) A description of the coordination with program partners required by paragraph (c) of this
8 subsection that has occurred;

9 (B) A description of the individuals who would be eligible for the program and what qualifies
10 as a successful outcome, formulated in cooperation with the program partners described in para-
11 graph (c) of this subsection;

12 (C) A description of how the program for which the applicant is seeking funding is culturally
13 and linguistically responsive, trauma-informed and evidence-based;

14 (D) A description of a plan to address language access barriers when communicating program
15 referral options and program procedures to non-English speaking individuals; and

16 (E) A description of how the program coordinator will communicate with program partners
17 concerning persons participating in the program and any other matter necessary for the adminis-
18 tration of the program.

19 (5) To be eligible for funding under this section, a deflection program:

20 (a) Must be coordinated by or in consultation with a community mental health program, a local
21 mental health authority or a federally recognized tribal government;

22 (b) Must have a coordinator with the following program coordinator duties:

23 (A) Convening deflection program partners as needed for the operation of the program;

24 (B) Managing grant program funds awarded under this section; and

25 (C) Tracking and reporting data required by the Oregon Criminal Justice Commission under
26 section 37, **chapter 70, Oregon Laws 2024** *[of this 2024 Act]*;

27 (c) Must involve the partners described in subsection (4)(c) of this section; and

28 (d) May involve a partnership with one or more of the following entities:

29 (A) A first responder agency other than a law enforcement agency;

30 (B) A community provider;

31 (C) A treatment provider;

32 (D) A community-based organization;

33 (E) A case management provider;

34 (F) A recovery support services provider; or

35 (G) Any other individual or entity deemed necessary by the program coordinator to carry out
36 the purposes of the deflection program, including individuals with lived experience with substance
37 use disorder, a behavioral health disorder or co-occurring disorders.

38 (6) During a grant application period established by the committee, the maximum proportion of
39 grant funds available to an applicant shall be determined as follows:

40 (a) The proportion of grant funds available to an applicant other than a tribal government shall
41 be determined based on the county formula share employed by the Oversight and Accountability
42 Council established under ORS 430.388, but an applicant may not receive less than *[\$150,000]*
43 **\$500,000**.

44 (b) The committee shall determine the proportion of funds available to an applicant that is a
45 federally recognized tribal government.

1 (7)(a) Grant funds awarded under this section may be used for:

2 (A) Deflection program expenses including but not limited to law enforcement employees, deputy
3 district attorneys and behavioral health treatment workers, including peer navigators and mobile
4 crisis and support services workers.

5 (B) Behavioral health workforce development.

6 (C) Capital construction of behavioral health treatment infrastructure.

7 (b) Notwithstanding paragraph (a) of this subsection, the committee may award planning grants
8 for the development of deflection programs.

9 (c) The committee may allocate up to three percent of program funds to support grantee data
10 collection and analysis or evaluation of outcome measures.

11 (8) The Oregon Criminal Justice Commission shall provide staff support to the grant program.

12 (9) The committee and the commission may adopt rules to carry out the provisions of this sec-
13 tion.

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