

END OF SESSION REPORT

2022 Oregon State Legislature

Behavioral Health

Legislative Highlights

This year, several behavioral health [bills were passed](#). A significant investment was made into community violence prevention and intervention measures. OHA was also given the duty of distributing grants to behavioral health care providers for staff compensation and workforce retention and recruitment. The House Behavioral Health committee heard several testimonies on the behavioral health workforce crisis and felt that HB 4004 would significantly help with workforce retention and recruitment.

Below is a run-down of legislation in this area that passed this session, as well as those that didn't.

Significant legislation that PASSED:

- HB 4045: Directs Oregon Department of Administrative Services to distribute moneys to nonprofit organization to provide grants to organizations for community violence prevention and intervention measures. Was amended with -1 amendment. *Passed both chambers with mild opposition.*
 - -1 amendment: Changes responsibility for administration of grants from OHA to Department of Administrative Services (DAS) with grants provided to the Portland Opportunities Industrialization Center (POIC). Requires POIC to report annually to DAS by November 30 on provision of grants; requires first report by November 30, 2023. Requires OHA to establish a technical advisory group to support implementation of grant program and specifies membership. Specifies dates by which OHA must seek federal approval for federal financial participation and approve training and certification programs.
 - HB 5202, the end of session budget Bill: \$246,476 General Fund and \$89,898 Federal Funds to support two positions (1.26 FTE) in the Health Systems Division and Public Health Division. These positions, both of which are Operations and Policy Analyst 3 positions, will support OHA's role in implementing the community violence prevention grant program established by HB 4045 (2022).

- HB 4070: Modifies charge to and member appointment process for Consumer Advisory Council that assists and advises Director of Oregon Health Authority on mental health, addiction and substance use disorder services. *Passed the House with full support and passed the Senate with mild opposition.*
- HB 4071: Modifies description of persons eligible for targeted financial incentives in field of behavioral health. *Passed both chambers with some opposition.*
- HB 4004: Requires Oregon Health Authority to distribute grants to behavioral health care providers for staff compensation and workforce retention and recruitment. Was amended with -3 and -A4 amendments. *Passed the House with full support and passed the Senate with some opposition.*
 - -3 amendment: Specifies the types of providers eligible for grant funds and how grant funds may be used including using at least 75 percent of funding for wages, benefits, and bonuses. States eligibility for non-hospital entities seeking grant funds is based on providing at least 50 percent of services to adults or youth who are uninsured, enrolled in Medicaid or Medicare. Specifies any increase in provider compensation or bonus is not a violation of Oregon Pay Equity law. Expands the settings OHA may contract with to mitigate workforce shortages due to COVID-19 pandemic to include opioid treatment programs, withdrawal management programs, and sobering centers. Extends timeline for the Oregon Health Authority (OHA) to distribute grant funds by 30 days.
 - -A4 amendment: Appropriates \$132,347,979 out of the General Fund for OHA
- HB 4098: Expands designated state agencies that must work with Alcohol and Drug Policy Commission and requires agencies to meet with commission quarterly to review and report on each agency's progress and to report process and outcome measures established under commission's comprehensive addiction, prevention, treatment and recovery plan. Was amended with -2 and -A3 amendments. *Passed both chambers with full support.*
 - -2 amendment: Establishes the Opioid Settlement Prevention, Treatment, and Recovery Fund in State Treasury to appropriate settlement funds to the Oregon Health Authority (OHA). Creates the Opioid Settlement Prevention, Treatment,

and Recovery Board (Board) in OHA. Grants the Board authority to allocate funds from the Recovery Fund. Specifies Board membership, appointing authority, and terms. Establishes guidelines for the Board in determining the allocation of appropriated funds. Repeals the Board on January 2, 2040.

- -A3 amendment: Declares an emergency, \$625,733 is established for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues collected or received by the OHA.
- HB 5202 A: Appropriates moneys from General Fund to specified state agencies and Emergency Board for biennial expenses. *Passed with some opposition in both chambers.*
 - \$42.5 million special purpose appropriation to increase provider payment rates an average of 30% for behavioral health services under the medical assistance program for the purpose of improving access, maintaining provider networks, increasing wages, and retaining workers. (Given to OHA)
 - \$40.9 million Federal Funds for Mental Health and Substance Abuse Prevention and Treatment block grants based on supplemental awards from the American Rescue Plan Act (Given to OHA)
 - \$37 million Federal Funds to reflect the federal match already leveraged by General Fund in OHA's budget for increasing reimbursement rates for services treating people with behavioral health co-occurring disorders.
 - \$100 million in one-time General Fund in the Health Systems Division for distribution to community mental health programs and related administrative support in OHA to expand the availability of housing and residential treatment beds for people with behavioral health issues
 - This bill appropriated \$5 million for the crisis hotline center and \$10 million to distribute to counties to establish and maintain mobile crisis intervention teams (Given to OHA)
 - Increases of \$3 million General Fund and \$9 million Federal Funds are included in the Health Systems Division to extend a one-time 10% rate increase to behavioral health residential treatment providers. (Given to OHA)

Significant legislation that DID NOT PASS:

- HB 4126: Imposes requirements for accepting bids and proposals for contracts for provision and delivery of publicly financed behavioral health or addiction treatment or services.
 - Failed in House Business and Labor, after public hearing was held.

- HB 4084: Specifies evaluation that must be conducted when person is taken into hospital or nonhospital facility because person has mental illness and is in need of treatment. Requires court order for conditional release or assisted outpatient treatment to contain provisions to ensure person receives necessary support services upon release. Takes effect on 91st day following adjournment sine die
 - Failed to move forward in House Behavioral health after public hearing.