

A-Engrossed
House Bill 2362

Ordered by the House May 16
Including House Amendments dated May 16

Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Advocacy Center)

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.

Creates *[task force to study]* **interim legislative committee to develop, with assistance of advisory committee, plan for** coordination of services and creation of integrated funding of services to children with severe emotional or mental disorders.

Sunsets *[task force]* on date of convening of next biennial legislative session.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to children's mental health; and declaring an emergency.

3 Whereas the Legislative Assembly finds that children with severe emotional or mental disorders
4 and their families often receive services from multiple service systems, including mental health,
5 child welfare, education, juvenile justice, health, developmental disabilities, vocational rehabilitation
6 and self-sufficiency; and

7 Whereas services to children with severe emotional or mental disorders are more effective when
8 services are coordinated; and

9 Whereas the Legislative Assembly believes that the Department of Human Services should sub-
10 stantially increase the availability and quality of individualized, intensive and culturally competent
11 home- and community-based services so that these children are served in the most natural environ-
12 ment possible and that the use of institutional care is minimized; and

13 Whereas the State of Oregon has an interest in providing social, educational and health services
14 in the most cost-effective and beneficial manner possible; and

15 Whereas the Legislative Assembly believes that a children's mental health integrated fund
16 should be established that:

17 (1) Allows local service decision makers to draw funding from a single local source so that funds
18 follow children and families and therefore eliminate the need to match clients, funds, services and
19 provider eligibilities;

20 (2) Creates a local pool of federal, state, local and private funds to procure greater medical as-
21 sistance from federal financial participation;

22 (3) Improves the efficiency of existing resources;

23 (4) Minimizes or eliminates the incentives for cost and risk shifting; and

24 (5) Increases the incentives for earlier identification of and intervention with children with se-
25 vere emotional or mental disorders; now, therefore,

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

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 **SECTION 1.** (1) As used in this section, “children with severe emotional or mental dis-
2 orders” means children who have been:

3 (a) Admitted to or who are at risk of being admitted to inpatient, residential or day
4 treatment for a severe emotional or mental disorder; or

5 (b) Diagnosed by a qualified mental health professional as having:

6 (A) A severe emotional or mental disorder described in a diagnostic manual published by
7 the American Psychiatric Association;

8 (B) A risk of harming themselves or harming others as a result of a severe emotional
9 or mental disorder;

10 (C) Psychopathological symptoms as a result of being a victim of physical or sexual abuse
11 or psychic trauma; or

12 (D) Psychopathological symptoms related to fetal exposure to alcohol or controlled sub-
13 stances.

14 (2) There is created the Interim Committee on Development of a Child and Family Sys-
15 tem of Care consisting of four members appointed as follows:

16 (a) The President of the Senate shall appoint two members from among members of the
17 Senate.

18 (b) The Speaker of the House of Representatives shall appoint two members from among
19 members of the House of Representatives.

20 (3) The purpose of the interim committee is to develop a coordinated plan that focuses
21 on children who have or who are at risk of developing severe emotional or mental disorders
22 that affect the children’s abilities to function in the primary aspects of daily life, including
23 personal relations, living arrangements, work, school or recreation and who would benefit
24 from coordination of services, including mental and physical health services, juvenile justice,
25 child welfare and education.

26 (4) In carrying out its purpose, the interim committee shall design the development and
27 implementation of:

28 (a) A children’s mental health integrated fund that pools local, state, federal and private
29 resources and consolidates the resources at the local level to accomplish locally agreed-upon
30 service goals for children with severe emotional or mental disorders. The fund would help
31 local children’s mental health collaboratives serve the mental health needs of these children
32 by allowing local children’s mental health collaboratives to develop and implement an inte-
33 grated service system.

34 (b) An integrated service system that coordinates a set of procedures established by local
35 children’s mental health collaboratives for coordinating services and actions across
36 categorical systems and agencies to result in:

37 (A) Integrated funding;

38 (B) Improved outreach, early identification and intervention across systems of care for
39 children with severe emotional or mental disorders;

40 (C) Strong collaboration between parents and professionals in identifying children with
41 severe emotional or mental disorders, facilitating access to the integrated system and coor-
42 dinating care and services for these children;

43 (D) A coordinated assessment process across systems of care that determines the chil-
44 dren who need multiagency care coordination and wraparound services;

45 (E) A coordinated multiagency plan of care; and

1 **(F) Individualized treatment, support and rehabilitation services for children with severe**
2 **emotional or mental disorders.**

3 **(c) The formation of a local children’s mental health collaborative under an agreement**
4 **of representatives from each local system of care, including mental health services, child**
5 **welfare, juvenile justice, education and health services, disabilities and vocational services,**
6 **for the purpose of developing and governing an integrated service system and administering**
7 **the local integrated fund.**

8 **(5) The interim committee may consult with:**

9 **(a) Local, state and national experts on child and family systems of care; and**

10 **(b) Experts in states that have adopted a system for providing services to children with**
11 **severe emotional or mental disorders that incorporates an integrated fund, an integrated**
12 **service system and a children’s mental health collaborative.**

13 **(6) The interim committee shall appoint an advisory committee to assist the interim**
14 **committee in carrying out its purpose as described in subsection (3) of this section. Persons**
15 **appointed to the advisory committee shall:**

16 **(a) Have expertise related to the public funding and provision of general and special ed-**
17 **ucation, child welfare, juvenile justice, child and family mental health, developmental disa-**
18 **bilities or children’s health care services; or**

19 **(b) Have experience caring for or advocating on behalf of children with severe emotional**
20 **or mental disorders who are involved in multiple public systems.**

21 **(7) Persons appointed to the advisory committee are not entitled to compensation or re-**
22 **imbursement for expenses and serve as volunteers on the advisory committee.**

23 **(8) The President of the Senate and the Speaker of the House of Representatives shall**
24 **select one member of the interim committee to serve as chairperson and another to serve**
25 **as vice chairperson, with the duties and powers necessary for the performance of the func-**
26 **tions of the offices as the President and the Speaker determine.**

27 **(9) A majority of the members of the interim committee constitutes a quorum for the**
28 **transaction of business.**

29 **(10) Official action by the interim committee requires the approval of a majority of the**
30 **members of the interim committee.**

31 **(11) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
32 **ment to become immediately effective.**

33 **(12) The interim committee shall meet at times and places specified by the call of the**
34 **chairperson or of a majority of the members of the interim committee.**

35 **(13) The interim committee may adopt rules necessary for the operation of the interim**
36 **committee.**

37 **(14) The interim committee shall report to the Legislative Assembly in the manner pro-**
38 **vided in ORS 192.245 at any time within 30 days after its final meeting or at such later time**
39 **as the President and Speaker may designate.**

40 **(15) The Legislative Administrator may employ persons necessary for the performance**
41 **of the functions of the interim committee. The Legislative Administrator shall fix the duties**
42 **and amounts of compensation of these employees. The interim committee shall use the ser-**
43 **vices of permanent legislative staff to the greatest extent practicable.**

44 **(16) All agencies of state government, as defined in ORS 174.111, are directed to assist**
45 **the interim committee in the performance of its duties and, to the extent permitted by laws**

1 relating to confidentiality, to furnish such information and advice as the members of the
2 interim committee consider necessary to perform their duties.

3 **SECTION 2.** Section 1 of this 2005 Act is repealed on the date of the convening of the next
4 regular biennial legislative session.

5 **SECTION 3.** This 2005 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
7 on its passage.

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