

A-Engrossed
Senate Bill 1054

Ordered by the Senate May 4
Including Senate Amendments dated May 4

Sponsored by COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

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.

For two-year period, exempts hospital from requirement to obtain certificate of need to construct new facility or to expand capacity to provide inpatient psychiatric services or inpatient chemical dependency services **to veterans and active duty service members**.

Sunsets [*two years after effective date*] **December 31, 2028**.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to inpatient mental health treatment; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) **"Active duty service members"** means individuals who are in full-time duty status in the active uniformed service of the United States, including members of the National Guard or the military reserve forces who are on active duty orders pursuant to 10 U.S.C. 1209 and 1211 and members described in 32 U.S.C. 502(f).

(b) **"Hospital"** has the meaning given that term in ORS 442.015.

(c) **"Veterans"** means individuals whose medical care is reimbursed by the United States Department of Defense through TRICARE or by the United States Department of Veterans Affairs through section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (P.L. 113-146).

(2) Notwithstanding ORS 442.315 (9)(i) and (j), a hospital is exempt from the requirements of ORS 442.315 with respect to the construction of new hospitals or facilities or the expansion of the hospital's existing capacity to provide inpatient or outpatient mental health and chemical dependency services to veterans and active duty service members and their dependents.

(3) A hospital that constructs a new hospital or facility or expands the hospital's existing capacity under subsection (2) of this section shall, for eight years after the construction or expansion is completed, continue to use the new hospital or facility or the expanded capacity to provide inpatient or outpatient mental health and chemical dependency services to veterans and active duty service members and their dependents, unless the Oregon Health Authority approves a certificate of need under ORS 442.315 for the change in use.

(4) This section applies to the construction of new hospitals or facilities and to the expansion of existing capacity beginning on or after the effective date of this 2017 Act and be-

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 fore the date that is two years after the effective date of this 2017 Act.

2 **SECTION 2.** Section 1 of this 2017 Act is repealed on December 31, 2028.

3 **SECTION 3.** This 2017 Act being necessary for the immediate preservation of the public
4 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
5 on its passage.

6
