



## Open Government Impact Statement

82nd Oregon Legislative Assembly  
2024 Regular Session

## Measure: HB 4002 - A

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Digest: The Act makes changes to laws to make it easier to get treatment for substance use problems. The Act changes drug laws. The Act takes effect when the Governor signs it. (Flesch Readability Score: 87.1).

Prohibits insurers from requiring prior authorization or other utilization review for coverage of substance use disorder medications. Specifies exceptions.

Requires coordinated care organizations to provide to members medications for treatment of opioid use disorder and any co-occurring substance use disorder or mental health condition.

Prohibits coordinated care organizations and public payers of health insurance from requiring prior authorization for medication-assisted treatment.

Allows pharmacists to prescribe and dispense early refills of medication for opioid use disorder under specified conditions. Allows pharmacists to have on-site prescription drug lockers without obtaining a license or registration from the State Board of Pharmacy.

Requires coordinated care organizations to have adequate networks of addiction treatment providers.

Directs the Alcohol and Drug Policy Commission to conduct a study related to access to opioid use disorder treatment and interventions. Requires commission to report recommendations to Legislative Assembly to address barriers to accessing opioid use disorder treatment and interventions.

Establishes a certified community behavioral health clinic program in the Oregon Health Authority and specifies the requirements for the program.

Establishes the Joint Task Force on Regional Behavioral Health Accountability to make recommendations to the Legislative Assembly to improve the governance of behavioral health systems and strengthen evidence-based and equitable funding decisions and accountability of behavioral health systems. Sunsets January 2, 2026.

Establishes the Task Force on Improving the Safety of Behavioral Health Workers to make recommendations to the Legislative Assembly to address the safety concerns that are prevalent in the behavioral health industry. Sunsets January 2, 2026.

Establishes the United We Heal Medicaid Payment Program in the authority to provide supplemental medical assistance payments to behavioral health providers to enable the providers to access enhanced apprenticeship and training programs and opportunities by participating in a labor-management training trust.



Modifies the definition of “delivery” for purposes of the Uniform Controlled Substance Act. Increases presumptive sentences when unlawful delivery of a controlled substance occurs in specified locations.

Increases penalties for unlawful possession of a controlled substance on September 1, 2024. Designates crime as a drug enforcement misdemeanor and specifies sentence. Creates a new form of conditional discharge for drug enforcement misdemeanors and establishes processes for sealing records related to the crime.

Establishes the Oregon Behavioral Health Deflection Program consisting of grants awarded to fund deflection programs.

Directs the Oregon Criminal Justice Commission to track data including arrests and prosecutions for possession and delivery crimes and data concerning deflection program outcomes.

Increases the number of hours a person can be held in a facility when admitted to the facility due to intoxication or being under the influence of controlled substances. Authorizes members of a mobile crisis intervention team to take a person to a sobering facility or appropriate facility. Modifies immunity from civil and criminal liability for certain persons involved in the provision of treatment.

Establishes the Oregon Jail-Based Medications for Opioid Use Disorder Grant Program.

Declares an emergency, effective on passage.

### **OPEN GOVERNMENT IMPACT**

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure information in sealed court records, law enforcement records and district attorney records that are:

- a) related to the completion of a deflection program; or
- b) related to citations for unlawful possession of a controlled substance constituting a drug enforcement misdemeanor if no further prosecutorial action took place within two years.

This measure also seals other court records related to unlawful possession of a controlled substance constituting a drug enforcement misdemeanor.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information about an individual’s participation in deflection programs, law enforcement records, district attorney records and court records related to unlawful possession of a controlled substance constituting a drug enforcement misdemeanor.