

# Senate Bill 729

Sponsored by Senator GELSER BLOUIN; Senators PATTERSON, REYNOLDS, Representative NELSON (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 makes changes to a law about mental health services for persons with IDD. The Act takes effect on the 91st day after session ends. (Flesch Readability Score: 79.7).

Extends to all public bodies the prohibition against denying mental health services to individuals with intellectual or developmental disabilities. Extends protection against mental health service denial to all individuals with intellectual or developmental disabilities.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to mental health services for individuals with disabilities; amending section 5, chapter 96,  
3 Oregon Laws 2024; and prescribing an effective date.

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

5 **SECTION 1.** Section 5, chapter 96, Oregon Laws 2024, is amended to read:

6 **Sec. 5.** (1) [*The Oregon Health Authority*] **A public body, as defined in ORS 174.109**, a com-  
7 munity mental health program, a licensed medical provider or other certified or licensed practi-  
8 tioner, an education provider or a coordinated care organization may not deny any individual [*under*  
9 *the age of 21 years*] access to mental health assessment, treatment or services on the basis that the  
10 individual also has an intellectual or developmental disability.

11 (2) The **Oregon Health** Authority, the Department of Human Services, the Department of Edu-  
12 cation, the Oregon Medical Board and other health licensing agencies that license or certify mental  
13 or behavioral health providers shall adopt rules to carry out the provisions of this section.

14 [(3)(a)] (3) As used in this section, "education provider" means:

15 [(A)] (a) A school district, as defined in ORS 332.002;

16 [(B)] (b) The Oregon School for the Deaf;

17 [(C)] (c) An educational program under the Youth Corrections Education Program;

18 [(D)] (d) A public charter school, as defined in ORS 338.005;

19 [(E)] (e) An education service district, as defined in ORS 334.003;

20 [(F)] (f) An approved recovery school, as defined in ORS 336.680; or

21 [(G)] (g) Any state-operated program that provides educational services to students.

22 [(b) "Education provider" does not include:]

23 [(A) *The Oregon Youth Authority;*]

24 [(B) *The Department of Corrections; or*]

25 [(C) *The Department of Education, except when functioning as an education provider on behalf of*  
26 *the Oregon School for the Deaf.*]

27 **SECTION 2.** This 2025 Act takes effect on the 91st day after the date on which the 2025  
28 regular session of the Eighty-third Legislative Assembly adjourns sine die.

**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.

