



HEALTH SYSTEMS DIVISION

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To: Coordinated Care Organizations
County Mental Health Programs
Mental Health Providers
Licensed Professional Boards
Oregon Hospitals

From: Ebony Clarke, Behavioral Health Director
Holly Heiberg, Medicaid Policy Director

Subject: [SB 1557](#) Access to Healthcare (Section 5) for children up to 21 with Intellectual or Developmental Disability to Mental Health Assessment, Treatment, Services

The Oregon Health Authority (OHA) is writing to ensure that community members, organizations, and providers are notified of a law passed in SB 1557 in the 2024 Legislative Session. This law states:

- The Oregon Health Authority, a community mental health program, a licensed medical provider or other certified or licensed practitioner, an education provider or a coordinated care organization ***may not deny any individual under the age of 21 years access to mental health assessment, treatment or services on the basis that the individual also has an intellectual or developmental disability.***
- The Oregon Health Authority, the Department of Human Services, the Department of Education, the Oregon Medical Board and other health licensing agencies that license or certify mental or behavioral health providers ***shall adopt rules to carry out the provisions of this section.***
- Implementation of this law must be guided by the following policy and values:
 - Each child and youth is an individual with unique strengths and needs and must be met with developmentally, culturally and linguistically appropriate and individually responsive services that recognize the individual as a whole person;
 - Children, youth and their families are the experts on their lives and needs and must be meaningfully included in all decisions about their individual services and supports and be meaningfully included in policy making and service design;
 - All children and youth, regardless of the type or severity of diagnoses or the disability they experience, must be supported to live, work, play and attend school in integrated community settings and must be supported to safely and successfully remain in their family homes and local schools to the maximum extent possible;

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- Agencies and community partners must proactively recognize and build upon the unique strengths and potential of each child, youth and family;
- State agencies must prioritize child, youth and family-centered supports toward prevention and recovery;
- Children and youth must not be restricted to a single-service setting or delivery system and must be provided with access to all services for which the children or youth are eligible regardless of their disability type or family situation;
- Children, youth and their families must be supported to access the appropriate comprehensive home and community-based services and supports that prevent crises from happening or from reoccurring and that provide support and stabilization in the event of a crisis;
- State agencies that serve children, youth and their families must prioritize collaboration and information-sharing to support children and youth receiving multi-system supports through culturally and linguistically appropriate, disability-affirming a family-focused supports to remain in the community and avoid physical or mental health crises, hospitalizations or out-of-home placements;
- State agencies that serve children, youth and their families and community partners of the state agencies must collaborate to provide wraparound, child and youth-centered and trauma-responsive supports to children, youth and their families, including foster families, as children and youth transfer between placement settings across the continuum of services; and
- The state must access, to the maximum extent possible, all federal funds available to support children and youth with complex needs, at home, in substitute care, in the community and at school.

Why is this happening?

SB 1557 (2024) passed into law requirements that organizations and licensed practitioners may not discriminate against children or youth under the age of 21 on the basis that the individual has an intellectual or developmental disability by denying access to mental health assessment, treatment or services.

What should you do?

- Review your organization's policies and procedures to ensure compliance with this law;
- Assess clinician competence and confidence providing services to individuals with intellectual or developmental disabilities;
- Access training, education, supervision, and consultation as needed to support your organization, program, or practice to support mental health assessments, treatment, and services to children and youth experiencing an intellectual or developmental disability;

- As appropriate to your organization's role, ensure that children and youth experiencing intellectual or developmental disabilities have access to adequate pathways for mental health assessments, treatment, and services, including referral decisions, assessment, services, and transition pathways.

What are OHA's next steps?

- Gather community feedback, participation, and support in implementation of this law;
- Continue to develop communication tools, to amplify this law and its intent and the resources and supports for implementation;
- Review current initiatives, project portfolios, and Oregon Administrative Rules (OARs) to ensure compliance with this law;
- Review contracts with Coordinated Care Organizations, County Mental Health Programs (CMHPs), Providers, and Licensed Individuals to ensure that this law is outlined and enforced;
- Review and publish currently available trainings and technical assistance resources supporting organization and provider competence and confidence providing mental health assessments, treatment, and services to children and youth experiencing intellectual or developmental disability.

OHA will host a listening session with Medicaid and Behavioral Health leadership to hear from community on feedback, participation and support needed to implement this law. The listening session will be held on Friday, August 9th at 12:30pm-1:30pm. Please see and share link below.

Topic: Access to Healthcare Listening Session

Time: Aug 9, 2024 12:30 PM Pacific Time (US and Canada)

Join ZoomGov Meeting

<https://www.zoomgov.com/j/1606487077?pwd=XZdSAuHFuygkLQLdAPVC36BD79j3sU.1>

Meeting ID: 160 648 7077

Passcode: 316754

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Questions?

If you have any questions about this announcement, Marisa Hall marisa.hall@oha.oregon.gov