

House Bill 2339

Sponsored by Representatives STARK, SMITH G, RESCHKE; Representatives NOSSE, WILSON, ZIKA, Senators FREDERICK, LINTHICUM, MANNING JR, PROZANSKI (Presession 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**.

Requires Oregon Health Authority to administer program to provide matching grants to registered sobering facilities. Appropriates moneys from General Fund to authority for grants.

Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

1
2 Relating to sobering facilities; creating new provisions; amending ORS 430.306; and declaring an
3 emergency.

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

5 **SECTION 1. The Oregon Health Authority shall administer a program to provide match-**
6 **ing grants to sobering facilities registered under ORS 430.262. The authority shall prescribe**
7 **the formula for the allocation of moneys appropriated by the Legislative Assembly to carry**
8 **out this section. The formula shall take into account the community need for sobering fa-**
9 **ilities and the availability of funding from other sources.**

10 **SECTION 2. In addition to and not in lieu of any other appropriation, there is appropri-**
11 **ated to the Oregon Health Authority, for the biennium beginning July 1, 2019, out of the**
12 **General Fund, the amount of \$_____, which may be expended for grants provided under**
13 **section 1 of this 2019 Act.**

14 **SECTION 3. ORS 430.306 is amended to read:**

15 430.306. As used in ORS 430.262, 430.315, 430.335, 430.342, 430.397, 430.399, 430.401, 430.402,
16 430.420 and 430.630 **and section 1 of this 2019 Act**, unless the context requires otherwise:

17 (1) "Alcoholic" means any person who has lost the ability to control the use of alcoholic
18 beverages, or who uses alcoholic beverages to the extent that the health of the person or that of
19 others is substantially impaired or endangered or the social or economic function of the person is
20 substantially disrupted. An alcoholic may be physically dependent, a condition in which the body
21 requires a continuing supply of alcohol to avoid characteristic withdrawal symptoms, or
22 psychologically dependent, a condition characterized by an overwhelming mental desire for contin-
23 ued use of alcoholic beverages.

24 (2) "Detoxification center" means a publicly or privately operated profit or nonprofit facility
25 approved by the Oregon Health Authority that provides emergency care or treatment for alcoholics
26 or drug-dependent persons.

27 (3) "Director of the treatment facility" means the person in charge of treatment and rehabili-
28 tation programs at a treatment facility.

29 (4) "Drug-dependent person" means one who has lost the ability to control the personal use of
30 controlled substances or other substances with abuse potential, or who uses such substances or

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 controlled substances to the extent that the health of the person or that of others is substantially
 2 impaired or endangered or the social or economic function of the person is substantially disrupted.
 3 A drug-dependent person may be physically dependent, a condition in which the body requires a
 4 continuing supply of a drug or controlled substance to avoid characteristic withdrawal symptoms,
 5 or psychologically dependent, a condition characterized by an overwhelming mental desire for con-
 6 tinued use of a drug or controlled substance.

7 (5) "Halfway house" means a publicly or privately operated profit or nonprofit, residential fa-
 8 cility approved by the authority that provides rehabilitative care and treatment for alcoholics or
 9 drug-dependent persons.

10 (6) "Local planning committee" means a local planning committee for alcohol and drug pre-
 11 vention and treatment services appointed or designated by the county governing body under ORS
 12 430.342.

13 (7) "Police officer" means a member of a law enforcement unit who is employed on a part-time
 14 or full-time basis as a peace officer, commissioned by a city, a county or the Department of State
 15 Police and responsible for enforcing the criminal laws of this state and any person formally
 16 deputized by the law enforcement unit to take custody of a person who is intoxicated or under the
 17 influence of controlled substances.

18 (8) "Sobering facility" means a facility that meets all of the following criteria:

19 (a) The facility operates for the purpose of providing to individuals who are acutely intoxicated
 20 a safe, clean and supervised environment until the individuals are no longer acutely intoxicated.

21 (b) The facility contracts with or is affiliated with a treatment program or a provider approved
 22 by the authority to provide addiction treatment, and the contract or affiliation agreement includes,
 23 but is not limited to, case consultation, training and advice and a plan for making referrals to ad-
 24 diction treatment.

25 (c) The facility, in consultation with the addiction treatment program or provider, has adopted
 26 comprehensive written policies and procedures incorporating best practices for the safety of
 27 intoxicated individuals, employees of the facility and volunteers at the facility.

28 (d) The facility is registered with the Oregon Health Authority under ORS 430.262.

29 (9) "Treatment facility" includes outpatient facilities, inpatient facilities and other facilities the
 30 authority determines suitable and that provide services that meet minimum standards established
 31 under ORS 430.357, any of which may provide diagnosis and evaluation, medical care, detoxification,
 32 social services or rehabilitation for alcoholics or drug-dependent persons and which operate in the
 33 form of a general hospital, a state hospital, a foster home, a hostel, a clinic or other suitable form
 34 approved by the authority.

35 **SECTION 4. This 2019 Act being necessary for the immediate preservation of the public**
 36 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
 37 **July 1, 2019.**