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HB 4002: Changes and Looking Forward

Isabelle Cisco
Public Health Analyst - Oregon
CDC Foundation



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Agenda

- Background – How did we get here?
- HB 4002
 - Overview
 - Community Safety Provisions
 - Behavioral Health Provisions
 - Funding Outline
- What is next for Public and Behavioral Health?

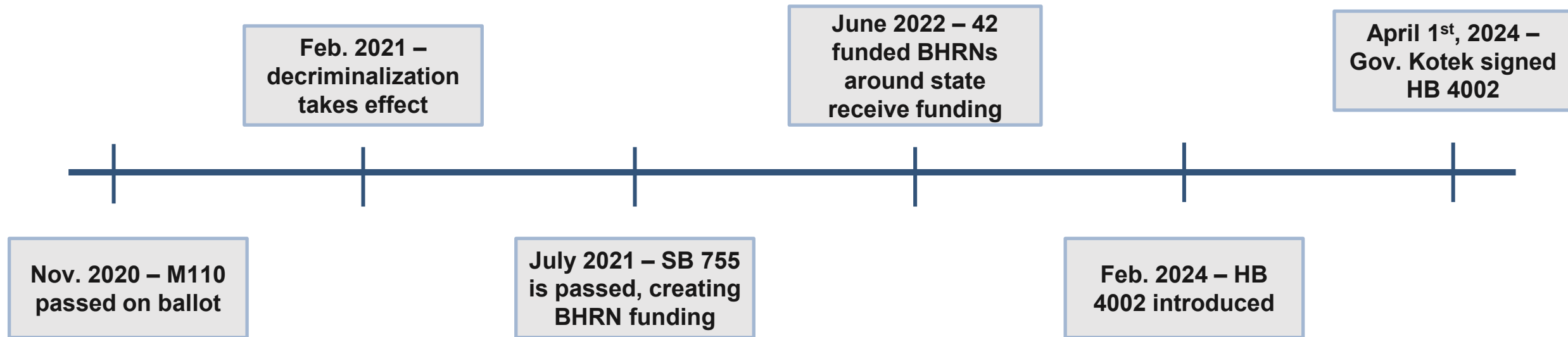
> Background

How did we get here?





Timeline of M110 and HB 4002



Source: [Oregon Health Authority](#)





HB 4002:

Recriminalization and What's Happening Now



Overview: What is it?

- Prior to the 2024 legislative session, the Oregon State Legislature created the Joint Committee on Addiction and Community Safety Response to explore legislation specifically related to the addiction crisis in Oregon.
- HB 4002 was proposed and passed by legislators during the 2024 legislative session. It addresses criminal penalties for drug possession, behavioral health workforce, and drug treatment programs.

Source: [Oregon State Legislature](#)





Community Safety Provisions

- Repeals the Class E misdemeanor established under Measure 110 and replaces it with a new misdemeanor crime of unlawful possession of a controlled substance.
- Renewed focus on diversion/deflection programs in counties, but no state mandate – counties get to opt in.
 - Counties that had not yet publicly opted in: Coos, Douglas, Jefferson, Lake, Lincoln, Linn, Polk, Sherman, Tillamook, Union, Wallowa, Wheeler, and Yamhill.
 - Funded through Oregon Criminal Justice Commission (CJC) – \$20.7 million

Source: Oregon Health Authority, HB 4002 Fact Sheet



Diversion and Deflection in HB 4002

HB4002 signed April 1

SECTION 36. (1) Law enforcement agencies in this state are encouraged to, in lieu of citation or arrest, or after citation or arrest but before referral to the district attorney, refer a person to a deflection program when the person is suspected of committing, or has been cited or arrested for, unlawful possession of a controlled substance constituting a drug enforcement misdemeanor under section 35 of this 2024 Act.

Source: [Oregon State Legislature](#)



└ Diversion vs. Deflection

- **Diversion** – Post-arrest / booking, centered in criminal legal proceedings, minimizing justice system involvement, minimize jail time
- **Deflection** - Pre-arrest / booking. Deflection process centered in community services approach. Sometimes referred to as “Pre-arrest diversion”

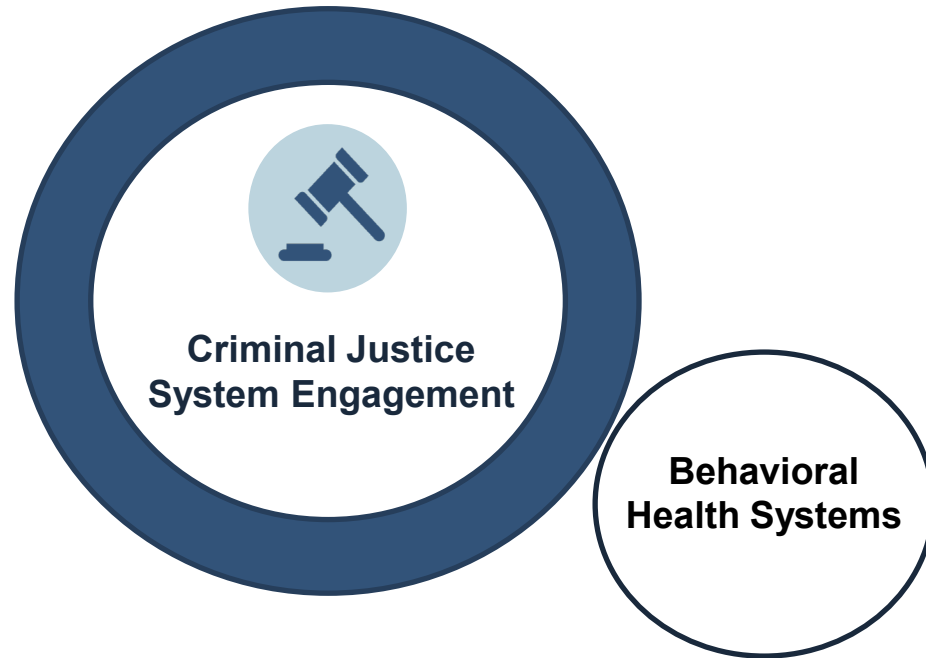
Source: [Civil Citation Diversion & Deflection Network](#)





Diversion vs. Deflection

Diversion:



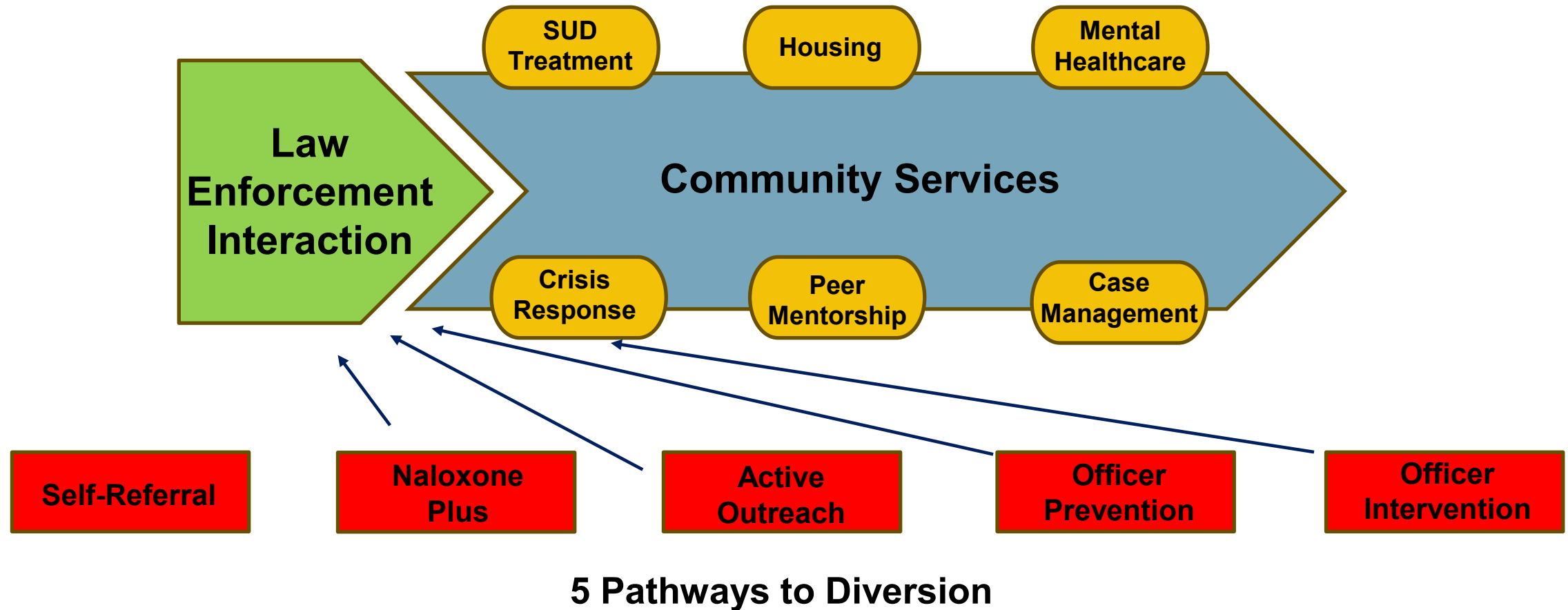
Deflection:



Source: [Civil Citation Diversion & Deflection Network](#)



Deflection: Pathways and a Systems Model of Care



Source: [Civil Citation Diversion & Deflection Network](#)

Challenges for Public Safety and Community Services

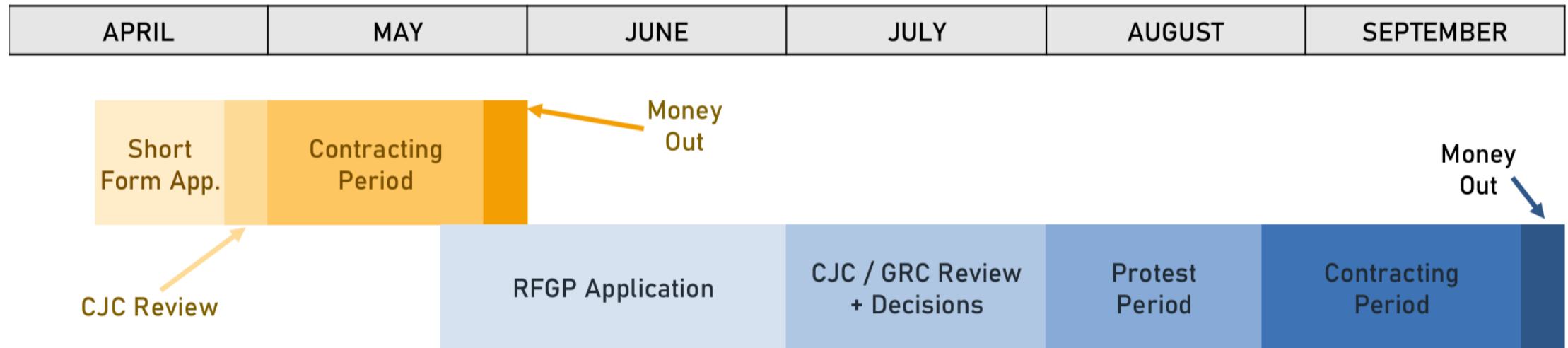
- **Public Safety:**
 - Lack of buy-in
 - Breakdown of feedback loop
 - High-barrier handoffs
 - Tracking system that needs streamlined
- **Community Services:**
 - Resource scarcity (housing/inpatient services)
 - Partner buy-in
 - Data collection and facilitating feedback loop



CJC Grant Program Timeline

Key Due Dates

- May 20th, application opens
- July 1st, applications are due



Source: [OR Criminal Justice Commission](#)

Deflection Toolkit Examples



Stop the Addiction Fatality
Epidemic Law Enforcement
Pre-Arrest Diversion
Resource Guide



Justice Community
Opioid Innovation
Network (JCOIN) e-Course
& Resource Guide



LEAD Community Diversion
Toolkit





Behavioral Health Provisions

Pharmacy Provisions

- Authorizes pharmacists to dispense early refills of medication for SUD.
- Authorizes the installation of drug lockers to expand treatment access.

CCBHC Program

- Creates the Certified Community Behavioral Health Clinic (CCBHC) Program to expand BH treatment access around the state.
- CCBHCs provide low-barrier, holistic MH/SUD care for people

MOUD Grant Program

- New Opioid Use Disorder Medication Grant Program provides funding to pay for MOUD treatment and transitional planning services in local and tribal correctional facilities.

Mobile Crisis Teams

- Authorizes members of mobile crisis teams to take people who are intoxicated or under the influence of a controlled substance to sobering centers or other appropriate facility like LE officers already can.

Source: Oregon Health Authority, HB 4002 Fact Sheet



Funding Outline

- Oregon Criminal Justice Commission Funding Streams
 - \$20.7 million for diversion/deflection grant program
 - \$6.9 million for county specialty courts
 - \$4 million for restorative justice grants
 - \$10 million for OUD Medication Grant Program
- \$9.8 million to Community Mental Health Programs (CMHPs) to expand jail diversion/deflection programs, via OHA
- OHA receives \$3.2 million to implement CCBHC program
- \$85.4 million allocation to specific behavioral health beds, crisis stabilization centers, sobering centers, and overall SUD treatment capacity investments statewide.
- \$18 million to 12 specific organizations to provide substance use recovery housing

Source: Oregon Health Authority, HB 4002 Fact Sheet

What's Next for Public Health?

- Focus on relationship building between public health and public safety
- Collaborate with local, county stakeholders: public safety, DA's office, public/mental/behavioral health, BOC
- Utilize the OR ORS Team (Joe and Isabelle) to help bring multiple partners to the table and begin to stand up these programs
- Keep an eye on grant/funding deadlines



> Questions?

Isabelle Cisco
icisco@cdcfoundation.org
(404) 242-1426

