



## Authorities

### References in statutes to the Alcohol and Drug Policy Commission

*Revised 2015-2016*

#### The Department of Corrections and the Criminal Justice Commission

ORS 423.150

(3) ...

(b) The Oregon Criminal Justice Commission shall periodically conduct independent evaluations of the programs funded by this section for their effectiveness in reducing criminal behavior in a cost-effective manner and shall report the findings to the **Alcohol and Drug Policy Commission.**

#### Drug Courts

ORS 3.450

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(6) A court, the State Court Administrator, the **Alcohol and Drug Policy Commission** or the Oregon Criminal Justice Commission:

(a) May use records described in subsection (3) of this section and other drug court program information to track and develop statistics about the effectiveness, costs and other areas of public interest concerning drug court programs.

(b) May release statistics developed under paragraph (a) of this subsection and analyses based on the statistics to the public.

#### K12 Schools

ORS 336.222 District policy and plan

In accordance with rules adopted by the State Board of Education in consultation with the Oregon Health Authority and the **Alcohol and Drug Policy Commission**, each district school board shall adopt a comprehensive alcohol and drug abuse policy and implementation plan, including but not limited to:

(1) Alcohol and drug abuse prevention curriculum and public information programs addressing students, parents, teachers, administrators and school board members;

(2) The nature and extent of the districts expectation of intervention with students who appear to have drug or alcohol abuse problems;

(3) The extent of the districts alcohol and other drug prevention and intervention programs; and

(4) The districts strategy to gain access to federal funds available for drug abuse prevention programs. [1989 c.1076 §1; 2009 c.595 §208; 2011 c.673 §6]

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**NEW:** 2015 Session HB 3400 Cannabis Education Program

SECTION 117. (1) As part of the comprehensive alcohol and drug abuse policy and implementation plan described in ORS 336.222, the Oregon Health Authority, State Board of Education and **Alcohol and Drug Policy Commission** shall collaborate on developing marijuana abuse prevention curricula and public information programs for students, parents, teachers, administrators and school board members.

(2) In the manner provided by ORS 192.245, the authority shall report on the implementation of this section to the Legislative Assembly on or before February 1 of each odd-numbered year.

SECTION 118. Notwithstanding section 117 (2) of this 2015 Act, the Oregon Health Authority shall first report on the implementation of section 117 of this 2015 Act and may make recommendations for legislation, including recommendations related to the use of moneys collected as a tax from businesses involved in marijuana operations, to the Legislative Assembly on or before February 1, 2016.

ORS 336.235 State Board rules

In order to carry out the duties described in ORS 336.222 (District policy and plan) and 336.227 (Duties of Oregon Health Authority), the State Board of Education, in consultation with the Oregon Health Authority and the **Alcohol and Drug Policy Commission**, shall adopt by rule, as a minimum, descriptions of the content of what shall be included in the policy and plan described in ORS 336.222 (District policy and plan) and 336.227 (Duties of Oregon Health Authority). [1989 c.1076 §4; 2009 c.595 §210; 2011 c.673 §7]

## Universities

ORS 351.105 Rules for minimum content of alcohol and drug abuse policy

In order to carry out the duties described in ORS 352.008 (Alcohol and drug abuse policy and implementation plan), the State Board of Higher Education, in consultation with the Oregon Health Authority and the **Alcohol and Drug Policy Commission**, shall adopt by rule, as a minimum, descriptions of the content of what shall be included in the policy and plan described in ORS 352.008 (Alcohol and drug abuse policy and implementation plan). [1989 c.1076 ORS 5; 2009 c.595 ORS 222; 2011 c.673 ORS 8]

ORS 352.008 Alcohol and drug abuse policy and implementation plan

In consultation with the Oregon Health Authority and the **Alcohol and Drug Policy Commission**, each public university listed in ORS 352.002 (Oregon University System) shall adopt a comprehensive alcohol and drug abuse policy and implementation plan. [1989 c.1076 ORS 3; 2009 c.595 ORS 223; 2011 c.637 ORS 239; 2011 c.673 ORS 9]

ORS 353.120 Adoption of alcohol and drug abuse policy

The Oregon Health and Science University, in consultation with the **Alcohol and Drug Policy Commission**, shall adopt a comprehensive alcohol and drug abuse policy and implementation plan. [1995 c.162 ORS 27; 2011 c.673 ORS 10]

## Prenatal Care

ORS 430.920 Risk assessment for drug and alcohol use; informing patient of results; assistance to patient in reducing need for controlled substances.

(1) The attending health care provider shall perform during the first trimester of pregnancy or as early as possible a risk assessment which shall include an assessment for drug and alcohol usage. If the results of the assessment indicate that the patient uses or abuses drugs or alcohol or uses unlawful controlled substances, the provider shall tell the patient about the potential health effects of continued substance abuse and recommend counseling by a trained drug or alcohol abuse counselor.

(2) The provider shall supply to the local public health administrator, and to the **Alcohol and Drug Policy Commission** for purposes of the commission's accountability and data collection system, demographic information concerning patients described in subsection (1) of this section without revealing the identity of the patients. The local administrator shall use forms prescribed by the Oregon Health Authority and shall send copies of the forms and any compilation made from the forms to the authority at such times as the authority may require by rule.

(3) The provider, if otherwise authorized, may administer or prescribe controlled substances that relieve withdrawal symptoms and assist the patient in reducing the need for unlawful controlled substances according to medically acceptable practices. [1989 c.1046 §4; 2009 c.595 §529; 2011 c.673 §38]

## The Counties

ORS 430.342 Local planning committees

(1) The governing body of each county or combination of counties in a mental health administrative area, as designated by the **Alcohol and Drug Policy Commission**, shall:

(a) Appoint a local planning committee for alcohol and drug prevention and treatment services; or

(b) Designate an already existing body to act as the local planning committee for alcohol and drug prevention and treatment services.

(2) The committee shall identify needs and establish priorities for alcohol and drug prevention and treatment services that best suit the needs and values of the community and shall report its findings to the Oregon Health Authority, the governing bodies of the counties served by the committee and the budget advisory committee of the commission.

(3) Members of the local planning committee shall be representative of the geographic area and shall be persons with interest or experience in developing alcohol and drug prevention and treatment services. The membership of the committee shall include a number of minority members which reasonably reflects the proportion of the need for prevention, treatment and rehabilitation services of minorities in the community. [1977 c.856 §3; 2001 c.899 §3; 2009 c.595 §483; 2011 c.673 §21]

ORS 417.775 Purpose and duties of local commission

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(b) The local coordinated comprehensive plan shall reference:

- (A) A voluntary local early childhood system plan created pursuant to ORS 417.777 (Local early childhood system plan);
- (B) Local alcohol and other drug prevention and treatment plans developed pursuant to **ORS 430.242 (Commission duties)**;
- (C) Local service plans, developed pursuant to ORS 430.630 (Services to be provided by community mental health programs), for the delivery of mental health services for children and their families;

## Oregon Health Authority

### ORS 430.256 Planning and administering alcohol and drug treatment programs

(1) The Director of the Oregon Health Authority shall administer alcohol and drug abuse programs, including but not limited to programs or components of programs described in ORS 430.397 (Voluntary admission of person to treatment facility) to 430.401 (Liability of public officers), 475.225 (Education and research), 743.557 and 743.558 and ORS chapters 430 and 801 to 822.

(2) Subject to ORS 417.300 (Purpose of ORS 417.305) and 417.305 (Legislative findings relating to serving children and families), the director shall:

- (a) Report to the **Alcohol and Drug Policy Commission** on accomplishments and issues occurring during each biennium, and report on a new biennial plan describing resources, needs and priorities for all alcohol and drug abuse programs.
- (b) Develop within the Oregon Health Authority priorities for alcohol and drug abuse programs and activities.
- (c) Conduct statewide and special planning processes which provide for participation from state and local agencies, groups and individuals.
- (d) Identify the needs of special populations including minorities, elderly, youth, women and individuals with disabilities.
- (e) Subject to ORS chapter 183, adopt such rules as are necessary for the performance of the duties and functions specified by this section.

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### **NEW:** ORS 430.270 Publicizing effects of alcohol and drugs

(Revised by 2015 Session SB 951; takes effect January 1, 2016)

(1) The Oregon Health Authority shall take such means as it considers most effective to bring to the attention of the general public, employers, the professional community and particularly the youth of the state, the harmful effects to the individual and society of the irresponsible use of alcoholic beverages, controlled substances and other chemicals, and substances with abuse potential.

(2) The activities of the authority under this section may not be inconsistent with the long-term strategic alcohol and drug abuse prevention and treatment plan developed by the **Alcohol and Drug Policy Commission** under ORS 430.242.

**NEW:** 2015 Session HB 3400 Cannabis Education Program

SECTION 117. (1) As part of the comprehensive alcohol and drug abuse policy and implementation plan described in ORS 336.222, the Oregon Health Authority, State Board of Education and **Alcohol and Drug Policy Commission** shall collaborate on developing marijuana abuse prevention curricula and public information programs for students, parents, teachers, administrators and school board members.

(2) In the manner provided by ORS 192.245, the authority shall report on the implementation of this section to the Legislative Assembly on or before February 1 of each odd-numbered year.

SECTION 118. Notwithstanding section 117 (2) of this 2015 Act, the Oregon Health Authority shall first report on the implementation of section 117 of this 2015 Act and may make recommendations for legislation, including recommendations related to the use of moneys collected as a tax from businesses involved in marijuana operations, to the Legislative Assembly on or before February 1, 2016.

ORS 430.335 Responsibility of Oregon Health Authority relating to alcohol and drug dependence  
In accordance with the policies, priorities and standards established by the **Alcohol and Drug Policy Commission under ORS 430.242 (Commission duties)**, and subject to the availability of funds therefor, the Oregon Health Authority may:

(1) Provide directly through publicly operated treatment facilities, which shall not be considered to be state institutions, or by contract with publicly or privately operated profit or nonprofit treatment facilities, for the care of alcoholics or drug-dependent persons.

(2) Sponsor and encourage research of alcoholism and drug dependence.

(3) Seek to coordinate public and private programs relating to alcoholism and drug dependence.

(4) Apply for federally granted funds available for study or prevention and treatment of alcoholism and drug dependence.

(5) Directly or by contract with public or private entities, administer financial assistance, loan and other programs to assist the development of drug and alcohol free housing. [1971 c.622 §4; 1973 c.795 §7; 1987 c.61 §2; 2007 c.14 §6; 2009 c.595 §482; 2011 c.673 §19]

ORS 430.357 Minimum standards

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(1) The Oregon Health Authority shall adopt rules to implement ORS 430.338 (Purposes of laws related to alcoholism) to 430.380 (Mental Health Alcoholism and Drug Services Account) and to establish minimum standards for alcohol and drug prevention and treatment programs in accordance with the rules, policies, priorities and standards of the **Alcohol and Drug Policy Commission under ORS 430.242 (Commission duties)**.

(2) All standards and guidelines adopted by the authority to implement programs authorized under ORS 430.338 (Purposes of laws related to alcoholism) to 430.380 (Mental Health Alcoholism and Drug Services Account) shall be adopted as rules pursuant to ORS chapter 183 regardless of whether they come within the definition of rule in ORS 183.310 (Definitions for chapter) (8). [Formerly 430.360; 1985 c.565 §70; 1987 c.53 §5; 2009 c.595 §486; 2011 c.673 §23]

ORS 430.359 Funding of services

(1) Upon approval of an application, the Oregon Health Authority shall enter into a matching fund relationship with the applicant. In all cases the amount granted by the authority under the matching formula shall not exceed 50 percent of the total estimated costs, as approved by the authority, of the alcohol and drug abuse prevention, early intervention and treatment services.

(2) The authority shall distribute funds to applicants consistent with the budget priority policies adopted by the **Alcohol and Drug Policy Commission**, the community needs as determined by local planning committees for alcohol and drug prevention and treatment services under ORS 430.342 (Local planning committees) and the particular needs of minority groups with a significant population of affected persons. The funds granted shall be distributed monthly.

ORS 430.366 Requirements for service proposals and data reporting

(1) Every proposal for alcohol and drug abuse prevention, early intervention and treatment services received from an applicant shall contain:

(a) A clear statement of the goals and objectives of the program for the following fiscal year, including the number of persons to be served and methods of measuring the success of services rendered;

(b) A description of services to be funded; and

(c) A statement of the minorities to be served, if a minority program.

(2) Each grant recipient and provider of alcohol and drug abuse prevention, early intervention and treatment services funded with moneys from the Mental Health Alcoholism and Drug Services Account established by ORS 430.380 (Mental Health Alcoholism and Drug Services Account) shall report to the **Alcohol and Drug Policy Commission** all data regarding the services in the form and manner prescribed by the commission. [1977 c.856 ORS 12; 1987 c.53 ORS 8; 2009 c.595 ORS 489; 2011 c.545 ORS 55; 2011 c.673 ORS 26]

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ORS 430.395 Funding of regional centers for treatment of drug and alcohol dependent adolescents

(1) In accordance with ORS 430.357 (Minimum standards), and consistent with the budget priority policies adopted by the **Alcohol and Drug Policy Commission**, the Oregon Health Authority may fund regional centers for the treatment of adolescents with drug and alcohol dependencies.

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ORS 430.424 Distribution of funds

Consistent with the budget priority policies adopted by the **Alcohol and Drug Policy Commission**, the Oregon Health Authority shall distribute moneys in the Drug Prevention and Education Fund established in ORS 430.422 (Drug Prevention and Education Fund) based on a review of the plans submitted to the office under ORS 430.420 (Integration of drug treatment services into criminal justice system). Funding criteria include, but need not be limited to, whether the plan includes the existence or development of a drug treatment court or a drug diversion program. [2005 c.830 §44; 2009 c.595 §497; 2011 c.673 §32]

Note: See note under 430.420 (Integration of drug treatment services into criminal justice system).

## Employment Department

### ORS 657.665 Confidentiality of information

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(p) Disclose to the **Alcohol and Drug Policy Commission** information required by the commission in evaluating and measuring the performance of alcohol and drug prevention and treatment programs under **ORS 430.242 (Commission duties)** or the impact of the programs on employment. The information disclosed to the commission may include total subject wages payroll and whole hours worked. The information disclosed under this paragraph is confidential and may not be used for any other purpose. The commission may not disclose the information in any manner that would identify an employing unit or employee except to the extent necessary to carry out the commission's duties under **ORS 430.242 (Commission duties)**. If the information disclosed under this paragraph is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the commission.