

DRAFT Board of County Commissioners Letter

June **DRAFT**, 2025

Governor Tina Kotek
900 Court Street, Suite 254
Salem, OR 97301

Kris Kautz
Acting Director, Oregon Health Authority
500 Summer St. NE, E-20
Salem, OR 97301

Ebony Clarke
Behavioral Health Director, Oregon Health Authority
500 Summer St. NE, E-20
Salem, OR 97301

Via email

RE: Continuing Collaboration Regarding 2025-2031 CFAA Contract

Dear Governor Kotek and Directors Kautz and Clarke:

Clackamas County appreciates the ongoing collaboration with the Oregon Health Authority on the 2025-2031 County Financial Assistance Agreement (CFAA) contract and recent requested revisions. Clackamas County, along with its county partners, invites your team to continue discussions regarding the key CFAA revisions impeding finalization. We believe a solution-oriented dialogue – whether in a workgroup meeting, summit, or conference call – will allow OHA and the County to resolve those limited, remaining obstacles and finalize the Agreement.

Clackamas County has identified two key CFAA revisions impeding finalization. First, the County is concerned the current agreement requires us to prioritize and fully fund the statutorily mandated populations (including Aid & Assist/competency restoration, PSRB, and civil commitment cases) at the potential expense of other services. Clackamas County shares OHA's commitment to serving these critical populations but must also preserve capacity for other community needs. We hope to work with OHA to ensure the CFAA's language balances required priorities with local flexibility, through the development of the Behavioral Health Local Plan, so that other essential services are not inadvertently compromised.

Second, the absence of a broad "subject to availability of funds" clause remains a significant concern. We understand OHA's view that the CFAA is legally limited to the award provided. However, an explicit contingency clause would confirm that the County is not expected to use

local general funds for CFAA obligations. We believe the parties can reach mutually agreeable wording that preserves county protection while maintaining accountability.

Clackamas County remains fully committed to resolving these concerns cooperatively. We value our partnership with OHA and the shared mission to support Oregon's critical populations. We also want to emphasize that the current contract expires June 30 so time is of the essence. To that end, we respectfully request a collaborative meeting to discuss these remaining, key issues. Through good-faith negotiation and mutual respect, the County is confident the parties can find solutions that address both statewide requirements and local service needs, but will consider joining our partner counties in not signing the agreement as written if a resolution cannot be found quickly.

Thank you for your attention to these matters. We look forward to continuing our work together.

Sincerely,

DRAFT

Craig Roberts, Chair

On Behalf of the Clackamas County Board of Commissioners