

Senate Bill 189

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Workgroup to Decriminalize Mental Illness)

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 outpatient care as condition for trial visit of person committed to custody of Oregon Health Authority as person with mental illness. Specifies minimum conditions for trial visit.

A BILL FOR AN ACT

1
2 Relating to trial visits for committed persons; creating new provisions; and amending ORS 426.273.

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

4 **SECTION 1.** ORS 426.273 is amended to read:

5 426.273. (1) During a period of commitment of a patient under ORS 426.130, the Oregon Health
6 Authority may grant a trial visit to the patient for a period of time and under *[any]* conditions the
7 authority shall establish. The authority shall only grant a trial visit under this section if the trial
8 visit is agreed to by the community mental health program director, or the designee of the director,
9 for the county in which the person would reside.

10 (2) When in the opinion of the authority, the committed person can be appropriately served by
11 outpatient care during the period of commitment, *[the]* outpatient care *[may]* **shall** be required as a
12 condition for **the** trial visit for a period which, when added to the inpatient treatment period, shall
13 not exceed the period of commitment. *[If outpatient care is required as a condition for a trial visit,]*

14 **(3) The conditions for a trial visit must address the specific goals and objectives of the**
15 **committed person, as developed with the full involvement of the person, and any services**
16 **necessary to accomplish the goals and objectives.** The conditions shall include *[a]* **but are not**
17 **limited to:**

18 (a) Designation of a *[facility, service or other provider to provide care or treatment]* **community**
19 **mental health program or a veterans facility under ORS 408.570, if applicable, in the county**
20 **in which the person is to receive outpatient care and a description of how the person will**
21 **connect to the program or facility;**

22 (b) **A provision for housing the person;**

23 (c) **Designation of a facility or other provider of medical health care, mental health care**
24 **and prescribed medication;**

25 (d) **Assistance to the person in obtaining Social Security benefits or Supplemental Secu-**
26 **urity Income benefits, medical assistance, supplemental nutrition assistance or other public**
27 **benefits that would support the person in maintaining stability during the trial visit;**

28 (e) **If applicable, substance abuse treatment and relapse prevention services; and**

29 (f) **Advice to the person concerning the advisability of executing a declaration for mental**
30 **health treatment under ORS 127.702.**

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.

