

**TESTIMONY ON HB 3069
BEFORE THE HOUSE COMMITTEE ON BEHAVIORAL HEALTH
MARCH 31, 2021**

**PRESENTED BY: HONORABLE NAN WALLER, MULTNOMAH COUNTY CIRCUIT
COURT JUDGE, OREGON JUDICIAL DEPARTMENT**

Chair Sanchez, Vice-Chair Moore-Green, Vice-Chair Nosse, and Members of the Committee:

I am Nan Waller, Circuit Court Judge in Multnomah County, offering this testimony support of HB 3069-2 on behalf of the Oregon Judicial Department (OJD).

HB 3069-2 establishes a statewide coordinated crisis services system to remove barriers to accessing quality behavioral health care services, improve equity and culturally appropriate responses in mental and behavioral health treatment, and ensure consistent and effective access to behavioral health crisis services throughout the state. To achieve those goals, the measure establishes crisis hotline centers with real-time information on available behavioral health services to provide 24/7 crisis intervention services and crisis care coordination anywhere in the state. The hotline is charged to:

- assign and track local responses to hotline calls
- arrange appointments and follow-up services with appropriate local treatment providers
- rapidly deploy crisis stabilization service providers
- actively collaborate with local law enforcement, first responders, coordinated care organizations, local behavioral health programs, and treatment providers
- coordinate access to crisis stabilization services through appropriate information sharing regarding availability of services

The measure requires community mental health programs to provide community-based rapid crisis response services to individuals contacting the hotline.

HB 3069-2 also creates a 9-8-8 Fund in the State Treasury, with funds continuously appropriated to the Oregon Health Authority (OHA). The funds may be used for the crisis hotline centers and related efforts, such as developing and improving the statewide coordinated crisis services system and infrastructure; providing acute behavioral health, crisis outreach and stabilization services; developing service enhancements or targeted responses to improve outcomes and address service gaps and needs.

OJD has a strong interest in statewide initiatives like HB 3069-2 to improve access to appropriate behavioral health services and treatment. The Oregon Judicial Branch Strategic Campaign 2020-2021 Initiative 1.1 focuses on behavioral health, guided by our commitment to join with community partners to improve services and outcomes for people who are underserved, vulnerable, or marginalized.

I serve as a co-chair of the Chief Justice's Behavioral Health Advisory Committee (BHAC). BHAC advises the Chief Justice on best practices in cases involving court users with behavioral health issues. It also provides direction to OJD regarding legislation in this area. BHAC works closely with the Office of the State Court Administrator, governmental partners, and other behavioral health stakeholders. As a judge who presides over the Multnomah County aid & assist docket and the Mental Health Court, I regularly encounter individuals who were arrested and brought directly to jail during or following a mental health crisis.

For over a year, OJD has been facilitating and actively participating in three different multi-stakeholder groups that are working on consensus-based initiatives similar to the concepts proposed in SB 3069-2. As noted by the Governor's Policy Advisory for Behavioral Health and Health Licensing, Jackie Yerby, at the 3/31/21 public hearing on SB 3069-2, this bill is not limited to establishing a 9-8-8 crisis hotline in Oregon. It offers a more systemic approach to addressing behavioral health needs by building the necessary infrastructure and expanding services in a manner that ensures equitable and timely access to appropriate treatment statewide. We appreciate the opportunity to participate in the coordination of efforts by the 9-8-8 Workgroup with the work of the following related stakeholder groups, as well as the emerging implementation efforts on Ballot Measure 110.

GAINS Regional Behavioral Health Centers Workgroup

In January 2020, Oregon was selected by the U.S. Department of Health and Human Services Agency's Substance Abuse and Mental Health Services Administration GAINS Center as one of nine states to join its Community of Practice (CoP) for Competence to Stand Trial and Community Restoration, including support by national subject matter experts and opportunities to collaborate with other states. As part of this CoP, OJD formed a statewide team to explore the development of physical or virtual centers that could bridge the gaps in access to state and local resources for individuals with mental health, substance use, or co-occurring disorders by serving as a coordination hub in a network of behavioral health and justice system partners. Team members include representatives of the Oregon Health Authority, Oregon Judicial Department, Oregon State Legislature, Governor's Office, Oregon State Hospital, Association of Oregon Counties, Oregon Department of Justice, Oregon Sheriffs Association, Oregon District Attorneys Association, Oregon Criminal Defense Lawyers Association, Association of Oregon County Mental Health Providers, Oregon Council for Behavioral Health, Oregon Center on Behavioral Health and Justice Integration, Cascadia Behavioral Health Care, Disability Rights Oregon, NAMI Oregon, and others. This workgroup completed a

Strategic Plan in September 2020 and continues to meet monthly to develop these plans.

Behavioral Health Emergency Coordination Network (BHECN)

In May 2020, a group of Portland treatment provider organizations, introduced the concept of a local behavioral health emergency coordination network. At that time, several workgroups in Multnomah County were addressing related issues concerning the overuse of emergency rooms, hospital psychiatric departments, and jails to address the needs of individuals experiencing mental health crises. Those efforts joined forces, including OJD, and agreed to serve as a pilot program for the GAINS regional behavioral health resource centers initiative. BHECN (Behavioral Health Emergency Coordination Network) is the local Multnomah County/Portland effort to plan for a crisis triage center. The vision for BHECN is to provide a 24/7 single point of access for help for people experiencing a mental health or substance abuse crisis. When law enforcement, emergency medical service, and other first responders attend to people in crisis, BHECN will provide an alternative to taking them to jail and gearing up the criminal justice system. It aims for streamlined identification, intake, assessment, triage, and referral across the first responder, criminal justice, and clinical continuum. BHECN is supported by a broad coalition of stakeholders in the behavioral health and criminal justice systems, staffed by a full-time Project Coordinator and a part-time Criminal Justice Consultant, and has over 120 members participating across its workgroup and subcommittees.

Behavioral Health/Justice System Leadership Coordination Committee

OJD initiated a Behavioral Health/Justice System Leadership Coordination Committee in September 2020 to bring together the leaders and staff of statewide committees, councils, and workgroups working on issues at the intersection of Oregon's behavioral health and justice systems. It builds on the success of behavioral health leadership coordination meetings that were initiated by the legislature in 2019 and addresses a growing need for collaboration and coordination among the many groups working to improve Oregon's behavioral health and justice systems. OJD facilitates monthly online meetings and hosts a web page as a resource to all interested stakeholders.

<https://www.courts.oregon.gov/programs/BHLeadership/Pages/default.aspx>

Member groups include:

- Senate Committee on Human Service, Mental Health and Recovery
- Senate Committee on Judiciary and Ballot Measure 110
- House Committee on Behavioral Health
- Governor's Behavioral Health Committees
- Chief Justice's Behavioral Health Advisory Committee
- IMPACTS Grant Program
- Legislative Workgroup to Decriminalize Mental Illness
- Legislative Workgroup on Ballot Measure 110

- Measure 110 Oversight and Accountability Council
- 988 Crisis Line Workgroup
- GAINS Regional Behavioral Health Resource Centers Workgroup
- SB 24 Implementation Workgroup
- Psychiatric Security Review Board Workgroup
- Oregon Center on Behavioral Health and Justice Integration Steering Committee
- Forensic Evaluation Certification Workgroup
- Behavioral Health Emergency Coordination Network (BHECN)

OJD appreciates the work of the 9-8-8 Workgroup and welcomes and the opportunity to participate in continued efforts to develop this legislation and improve the behavioral health crisis response system. If there may be additional changes to the bill, please consider incorporating the work of the GAINS Regional Behavioral Health Centers Workgroup, Behavioral Health Emergency Coordination Network, and the Behavioral Health/Justice System Leadership Coordination Committee.