



Testimony in support of SB 198

Indemnity for entities responsible for providing community restoration and behavioral health treatment for people found unable to aid and assist in their own defense

April 12, 2021

Dear Chair Prozanski, Vice Chair Thatcher and Members of the Senate Judiciary Committee,

On behalf of the Association of Oregon Community Mental Health Programs (AOCMHP), we are in support of SB 198, with the amendments in process, which provides liability limitation for community mental health programs (CMHPs) and other community-based entities that provide community restoration, residential and behavioral health treatment for people found unable to aid and assist in their own defense.

This bill establishes some guard rails for CMHPs and other community-based entities that are taking on expanded responsibilities for community restoration and treatment by providing indemnification in limited circumstances, and only if the harm to the third party is not caused by malfeasance or willful neglect of duty on the part of the CMHP or other community-based organization responsible for community restoration and treatment.

We believe this modest request will help us better meet the needs of both Aid & Assist clients and our entire communities. If we are able to successfully restore and treat more people in the community, OHA will also be successful in transitioning individuals under Aid & Assist from the Oregon State Hospital (OSH) sooner or in diverting them altogether from OSH or jail.

Thank you for the opportunity to testify on SB 198 and the amendments in process, and we urge your support to help us solve this behavioral health system challenge.

Sincerely,

Cherryl L. Ramirez
Director, AOCMHP