

HB 4085
Testimony February 8, 2022
House Committee On Behavioral Health

Good morning Chair Nosse, Vice-Chairs Moore-Green and Reynolds, and Committee members:

I am Dr. Jacek Haciaak, Director of DynamicChanges LLC. I am also a retired Psychologist and past administrator of mental health programs in four states including Linn County Mental Health Services in Oregon, and I have personal experience of living with mental illness and receiving services, and secondary experience of living with family members similarly affected.

My testimony on HB 4085 is informed by my work at the Child and Adolescent Treatment Services program at Oregon State Hospital for 8 years before we successfully moved the children's program off the stigmatizing OSH campus, and by my experience creating a continuum of care for children and adolescents when directing community mental health programs.

I oppose HB 4085. The potential complications from the requirements stipulated in this bill need a more thorough public review than what this short session allows for. Questions I have not seen or heard answered include:

1. What are the data by which a problematic pattern has been established that current evaluator-providers' evaluations have led to erroneous dispositions, thereby requiring HB 4085?
2. Will the involvement of a factfinder lead to a smoother and more effective plan of treatment for a child, or add a complicating factor when the fact-finder's views might depart from the evaluator-provider's findings and recommendations, and unnecessarily elongate the child's detention in a stigma-producing environment?
3. Who holds more authority for the final evaluation and disposition determination, the evaluator-provider who is using 24/7 observations, or the factfinder; and what is the process of reconciling differences between evaluator opinions? How would a judge determine which findings are the most valid and helpful to a child?
4. Will the involvement of a factfinder complement or confound the role of a CASA worker (Child Appointed Special Advocate) assigned to protect a child's interests?

We need to have a discussion of these and other unknowns before moving ahead with this bill. Please prevent HB 4085 from moving out of committee, and require that it be brought back in a long session when a more thorough review of its requirements and effects can be detailed for an informed vote.

Thank you.

Jacek/Jack Haciaak, PsyD, Director
DynamicChanges LLC