

COMMITMENT TO CHANGE WORKGROUP

MEETING BRIEF: November 2023

Overarching Questions: How can Oregon’s current civil commitment discharge procedures improve? What needs to be in place to create a well-functioning civil commitment system?

TOPICS

- Discharge and dismissal of civil commitment
- Civil commitment transportation, liability and funding

Discharge and dismissal of civil commitment

Relevant Statute and Rule Readings

- [ORS 426.300](#) Discharge of committed persons; application for assistance on behalf of committed persons
- [ORS 426.301](#) Release of committed person; certification of continued mental illness; service of certificate
- [OAR 309-033-0330](#) Discharge of civil commitment for persons under civil commitment

Civil Commitment Funding

Relevant Statute and Rule Readings

- [ORS 426.241](#) Payment of care, custody and treatment costs; denial of payment; rules
- [ORS 426.250](#) Payment of costs related to commitment proceedings
- [ORS 426.255](#) County to pay costs
- [ORS 426.310](#) Reimbursement of county expenses for commitment proceedings involving non-resident
- [ORS 426.320](#) Payment of certain expenses by the state
- [ORS 426.330](#) Presentation and payment of claims
- [OAR 309-033-0820](#) Denial of payment for services to persons in custody or on diversion

Civil Commitment Transportation

Relevant Statute and Rule Readings

- [ORS 426.150](#) Transportation to treatment facility
- [ORS 426.228](#) Custody; authority of peace officers and other individuals; transporting to facility
- [ORS 426.233](#) Authority of community mental health program director and of other individuals; costs of transportation
- [OAR 309-033-0300](#) Transfers between classes of facilities
- [OAR 309-033-0420](#) Transportation and Transfer of Persons in Custody or On Diversion
- [OAR 309-033-0425](#) Provider Requirements for the Transportation and Transfer of Minors in Custody or by Consent of Legal Guardian
- [OAR 309-033-0430](#) Transportation of a Person under Civil Commitment to a State Hospital, Community Hospital or Nonhospital Facility
- [OAR 309-033-0432](#) Standards for the Approval of a Secure Transport Provider to Transport a Person in Custody or On Diversion to an Approved Holding Hospital or Nonhospital Facility
- [OAR 309-033-0435](#) Client Rights with Regards to a Secure Transport Provider
- [OAR 309-033-0437](#) Mechanical Restraint by a Secure Transport Provider

Civil Commitment Liability

Relevant Statute and Rule Readings

- [ORS 426.335](#) Limitations on liability

