

Building Consensus Survey for Commitment to Change Workgroup Members

Purpose of Survey

The purpose of this survey is for CTC Workgroup members to build consensus on the "Close to Yes" ideas from the CTC Workgroup Recommendations Survey.

The CTC Workgroup decided to limit its recommendations to ideas that achieved consensus. The workgroup defined "consensus" to mean unanimous agreement to recommend an idea (excluding abstentions). "Close to Yes" ideas include those that received zero "No" votes but some "It Depends" votes and those that received one "No" vote.

Using the results of this Consensus Survey, the CTC Workgroup will meet three times to discuss proposed changes to ideas that may result in consensus. Roughly one-third of the "Close to Yes" ideas will be presented at each of the meetings, reorganized around similar topics.

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Survey Instructions

There are 89 "Close to Yes" ideas:

- 41 ideas with zero "No" votes but some "It Depends" votes
- 48 ideas with one "No" vote

Among the "Close to Yes" ideas, 13 were identified on more than one workgroup member's list of Top 5 Ideas. Those ideas and the entities/agencies/communities that prioritized them are highlighted in the survey.

For each "Close to Yes" idea, please select as many of the following statements that apply.

The entity/agency/community I represent on the CTC workgroup:

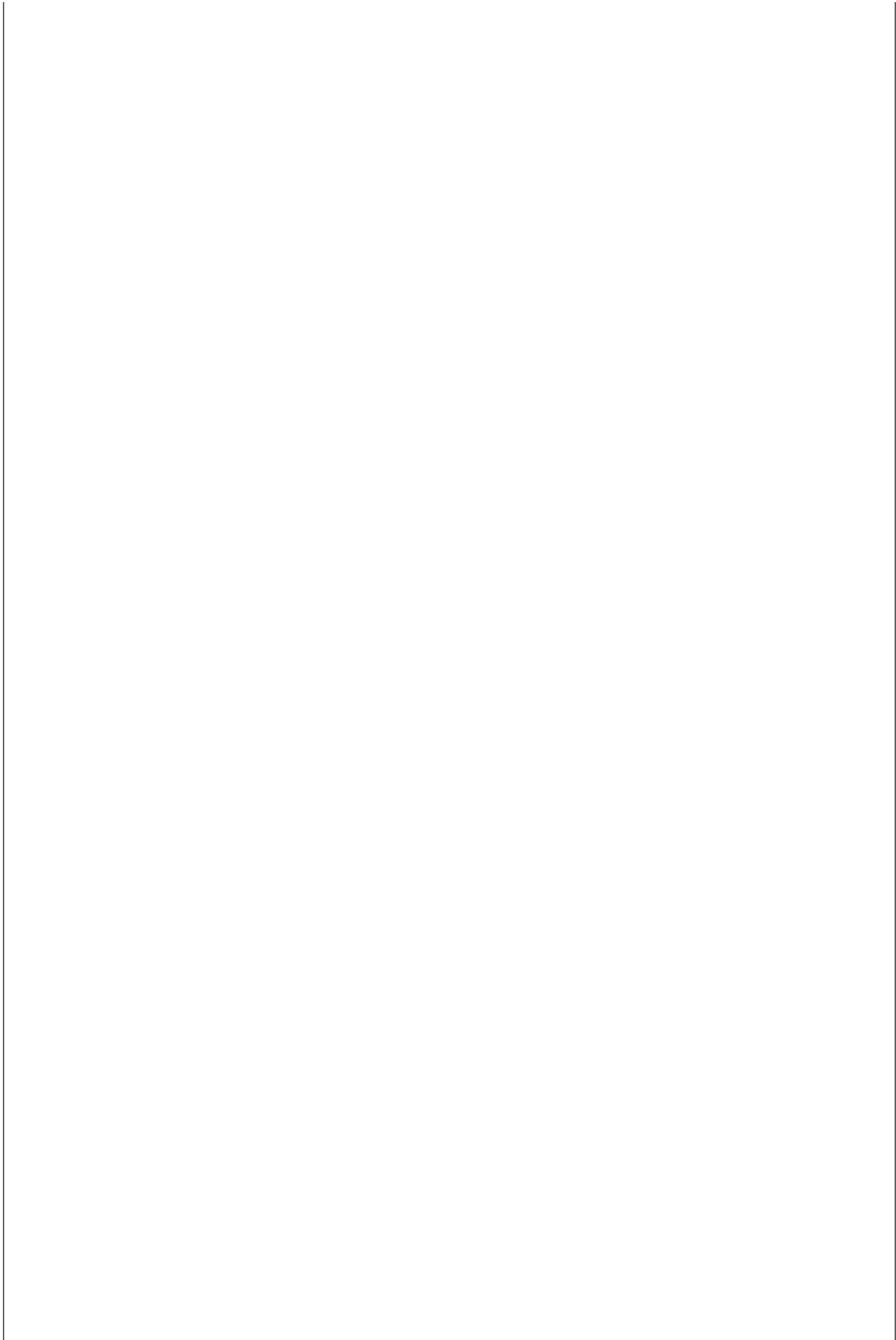
- Recommends this idea as currently drafted
- Recommends advancing the concept/process presented in this idea but reserves the right to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

IMPORTANT: Your responses in the COMMENT BOX following each question are the most important part of this survey. Use the comment box to suggest specific changes to the wording of the idea, either as a stand-alone idea alone or combining multiple ideas, that would allow your entity/agency/community to recommend the idea. These suggestions will be the basis of the next three workgroup meetings.

For each idea, please refer to the Recommendations Survey Results to review your responses and the input from other workgroup members. The Recommendations Survey Results were emailed to all workgroup members for the workgroup meeting on June 7, 2024.

Consider using a printed version of the survey to plan your answers and then entering them in Survey Monkey all at once. Alternatively, you can return to your incomplete survey and add or modify responses until the survey deadline.

If you need assistance completing this survey, please contact Debra Maryanov (debra.c.maryanov@ojd.state.or.us).



Building Consensus Survey for Commitment to Change Workgroup Members

Workgroup Member Representation

By Chief Justice Order, the following individuals were appointed to represent the designated entities or constituencies on the Commitment to Change Workgroup:

- **People with Lived Experience**
 - **Families: Jerri Clark (Mothers of the Mentally Ill)**
 - **Individuals and Families: Chris Bouneff (NAMI Oregon)**
 - **Legal Advocates: Jude Kassar (Disability Rights Oregon)**
- **Oregon Tribes: Angie Butler**
- **Oregon Judicial Department: Hon. Nan Waller; Hon. Matthew Donohue**
- **Oregon Senate Democrats: Sen. Floyd Prozanski**
- **Oregon Senate Republicans: Sen. Kim Thatcher**
- **Oregon House Democrats: Rep. Jason Kropf**
- **Oregon House Republicans: Rep. Christine Goodwin (proxy Rep. Charlie Conrad)**
- **Governor's Office: Juliana Wallace**
- **Oregon Health Authority: Zachary Thornhill**
- **Oregon State Hospital: Dr. Katherine Tacker**
- **Oregon Department of Human Services: Chelas Kronenberg**
- **Coordinated Care Organizations: Melissa Thompson (CCO Oregon)**
- **Association of Oregon Community Mental Health Providers: Cheryl Ramirez**
- **Oregon Association of Hospitals and Health Systems: Meghan Slotemaker**
- **League of Oregon Cities: Dakotah Thompson**
- **Association of Oregon Counties: Marcus Vejar**
- **Oregon Criminal Defense Lawyers Association: Allison Knight (Public Defenders)**
- **Oregon District Attorneys Association: Channa Newell (District Attorneys)**
- **Oregon State Sheriffs' Association: Sheriff Matt Phillips**
- **Oregon Association of Chiefs of Police: Chief Jim Ferraris**

1. Which stakeholder group were you appointed to represent on the Commitment to Change Workgroup?

Building Consensus Survey for Commitment to Change Workgroup Members

Community-Based Behavioral Health Services

Many individuals raised ideas to improve the behavioral health system generally. Although these ideas are beyond the scope of the workgroup charge, a limited number are presented here so that the workgroup may discuss whether to include them in the workgroup report

2. Provide education and training to behavioral health and substance use disorder providers about the criminal justice system and how to address criminogenic risk and need factors (Recommendation Survey Idea 3)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

3. Require STATE to build, own, operate, or fund more community-based facilities designed to provide shorter-term behavioral health inpatient care (Recommendation Survey Idea 4)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Psychiatric Emergency Holds

- **Hold for Transport:** A licensed independent practitioner (LIP) may hold a person in a health care facility for transportation to a treatment facility for up to 12 hours if the LIP believes person is dangerous to self or others and in need of emergency care or treatment for mental illness.
- **CMHP-Authorized Hold:** A CMHP director or designee may authorize involuntary admission or retention of an admitted person in a nonhospital facility or direct an authorized person to transport the person in custody to a hospital if the CMHP director believes the person is dangerous to self or others and is in need of immediate care, custody or treatment for mental illness (CMHP can also authorize a psychiatric hold of a civilly committed person placed on conditional release, outpatient commitment, or trial visit that the CMHP believes is dangerous to self or others or unable to provide for basic personal needs, not receiving necessary care for health and safety, and is in need of immediate care, custody or treatment for mental illness)
- **LIP-Authorized Hold:** If an LIP believes a person who has been brought to a hospital believes a person is dangerous to self or others and is in need of emergency care or treatment for mental illness, the LIP may detain the person and cause the person to be admitted or retained in the hospital or may approve the person for emergency care or treatment at an OHA-approved non-hospital facility.
- **LIP Notice to CMHP:** When approving a person for emergency care or treatment at a nonhospital facility, LIP must immediately notify the CMHP in the county where the person was taken into custody.
- **LIP Duties During Hold:** At the time a person alleged to have a mental illness is admitted or detained in a hospital or nonhospital facility, an LIP, nurse, or qualified mental health professional at the facility must inform the person of their right to representation by or appointment of counsel, give the person the warning under ORS 426.123, immediately examine the person, and set forth in writing the person's condition and need for emergency care or treatment.
- **5-Day Limit:** If the person is being held at a hospital, the LIP must maintain the person for as long as feasible given the needs of the person for mental or physical health or safety, but no longer than five judicial days.

4. Require the state to develop programs to expand the number of providers who have training, expertise, and willingness to support people with intellectual and developmental disabilities, including people with autism and people affected by drugs and alcohol in utero (Recommendation Survey Idea 5)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

5. Create a state funding mechanism to reimburse community case managers for outreach efforts to individuals in need of behavioral health care (Recommendation Survey Idea 6)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

6. Establish a fee schedule/funding code for billing Medicaid for behavioral health preventative care, such as 23-hour crisis and respite (Recommendation Survey Idea 7)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

7. Require state to build and fund more mental health crisis centers so emergency rooms are not the only option (Recommendation Survey Idea 8)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

8. Require first responder training on use of mental health crisis centers as an alternative to emergency rooms (Recommendation Survey Idea 9)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

9. Educate providers on when an individual may be released from a psychiatric hold following submission of an NMI to the court (Recommendation Survey Idea 10)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Notice of Mental Illness/Initiation of Civil Commitment Process

A notice of mental illness (NMI) is the notification that the OHA director or their designee must submit to the court to commence proceedings. A NMI may be filed by two persons, a county health officer, or a magistrate or judge of a court of a federally recognized Indian tribe located in this state.

10. Require state to create a centralized repository of civil commitment investigation reports for investigators to access for subsequent civil commitment investigations of the same individual (Recommendation Survey Idea 11)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
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Building Consensus Survey for Commitment to Change Workgroup Members

Warrant of Detention

The court may issue a warrant of detention to bring a person into custody before the investigation or hearing if the court finds probable cause to believe that failure to do so would pose serious harm or danger to the person or others.

11. Require Oregon Judicial Department to collect data on the factual findings in which judges issue warrants of detention (Recommendation Survey Idea 13)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

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Building Consensus Survey for Commitment to Change Workgroup Members

Investigation

Upon receipt of a NMI, the Community Mental Health Program (CMHP) initiates an investigation to gather information to determine whether there is probable cause to believe that the person is in fact a person with mental illness. A recommendation based upon the investigation report must be promptly submitted to the court.

12. Educate investigators that statute requires the submission of an investigation report regardless of whether the investigator believes that the person would be willing to participate in treatment on a voluntary basis (Recommendation Survey Idea 14)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

13. Amend statutes or rules to require that civil commitment investigators provide all information specified in [OAR 309-033-0940](#) or explain why missing information cannot be obtained (Recommendation Survey Idea 15)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

14. Require civil commitment investigators to participate in continuing education following initial certification that includes updates on relevant legal and clinical information
(Recommendation Survey Idea 16)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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14-Day Voluntary Diversion

No later than three judicial days after the initiation of a prehearing period of detention, the CMHP may issue a 14-day period of intensive treatment (diversion from civil commitment proceeding). Diversion occurs only if the person, after consulting with their counsel, voluntarily agrees, and the circuit court adopts the recommendation of the CMHP.

15. Amend statute to increase the maximum period of voluntary diversion from 14 days to a longer duration (workgroup to recommend the specific duration allowable) (Recommendation Survey Idea 17)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
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Building Consensus Survey for Commitment to Change Workgroup Members

Probable Cause Determination

The court reviews the investigation report and determines whether probable cause exists to hold a hearing.

16. Amend statute to require that peer support services are provided to an individual upon completion of diversion treatment (Recommendation Survey Idea 19)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

17. Require OHA to compare civil commitment diversion programs among Oregon counties and identify best practices, including accountability mechanisms for community treatment providers (Recommendation Survey Idea 20)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

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Citation and Service

If the court concludes that there is probable cause to believe that the person investigated is a person with mental illness, the court issues a citation to the person to appear at a hearing. The citation states the nature of the information filed concerning the person and the specific reasons the person is believed to meet civil commitment criteria. The server of the citation is required to provide proof of service to the court. The statute is silent regarding who is required to serve the citation, and practices vary by county.

18. Amend statute to require that citations include information about eligibility for 14-day intensive treatment option (diversion) (Recommendation Survey Idea 21)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

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Building Consensus Survey for Commitment to Change Workgroup Members

Appointment of Counsel

If the person is determined to be financially eligible for appointed counsel at state expense, the court will appoint legal counsel to represent the person.

19. Amend statute to clarify when in the civil commitment process the court must appoint legal counsel to financially eligible individuals (Recommendation Survey Idea 22)

TOP 5 IDEAS OF DRO

- Recommend this idea as currently drafted
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- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

20. Amend statute to require continuity of appointed legal counsel throughout process when feasible (Recommendation Survey Idea 23)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

21. Amend statute to require that public defenders appointed for representation in civil commitment cases have specialized knowledge and experience in civil commitment law and practice (Recommendation Survey Idea 24)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Access to Medical Records

The statutes allow access to medical records by the investigator, examiner, and defense counsel

22. Amend statute to require hospitals to share pertinent documentation from electronic health record with defense attorneys for civil commitment hearings (Recommendation Survey Idea 26)

TOP 5 IDEAS OF OCDLA

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Examination

A certified mental health examiner examines the person's mental condition. At the completion of the hearing, the examiner files a report with the court regarding whether the person meets civil commitment criteria. If the person meets civil commitment criteria, the examiner must indicate what type of treatment facility would best help the person recover.

23. Require the state to implement a plan to expand the number of mental health examiners for civil commitment cases (e.g. through the Oregon Behavioral Health Workforce Initiative (BHWI)) (Recommendation Survey Idea 27)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

24. Require state to create a centralized database of mental health examiners that is available to courts and CMHPs (Recommendation Survey Idea 28)

- Recommend this idea as currently drafted
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- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

25. Amend statute to expand training requirements for mental health examiners in civil commitment cases (Recommendation Survey Idea 29)

- Recommend this idea as currently drafted
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- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

26. Amend statute to clarify mental health examiners are appointed as neutral experts for the benefit of the court and are independent from counties and CMHPs (Recommendation Survey Idea 30)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

27. Amend statute to clarify that only one examination report is required per examiner. (Statute currently refers to examination reports in the plural.) (Recommendation Survey Idea 31)

- Recommend this idea as currently drafted
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Court Determination of Mental Illness

After hearing all of the evidence, and reviewing the findings of the examiners, the court shall determine whether the person has a mental illness and is in need of treatment.

Statute defines "person with a mental illness" as a person who, because of a mental disorder is one or more of the following:

(A) Dangerous to self or others.

(B) Unable to provide for basic personal needs that are necessary to avoid serious physical harm in the near future, and is not receiving such care as is necessary to avoid such harm.

(C) A person:

(i) With a chronic mental illness, as defined in ORS 426.495;

(ii) Who, within the previous three years, has twice been placed in a hospital or approved inpatient facility by the authority or the Department of Human Services under ORS 426.060;

(iii) Who is exhibiting symptoms or behavior substantially similar to those that preceded and led to one or more of the hospitalizations or inpatient placements referred to in sub-subparagraph (ii) of this subparagraph; and

(iv) Who, unless treated, will continue, to a reasonable medical probability, to physically or mentally deteriorate so that the person will become a person described under either subparagraph (A) or (B) of this paragraph or both.

28. Amend statute to add a definition of “mental disorder” for purposes of determining whether an individual is a “person with mental illness” (Recommendation Survey Idea 33)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

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Assisted Outpatient Treatment

In Oregon, assisted outpatient treatment (AOT) is not civil commitment and does not include an order for involuntary medication. A court may order a person to participate in AOT for up to 12 months if the person has a mental disorder, will not obtain community-based treatment voluntarily, is unable to make an informed decision to seek or comply with voluntary treatment, is incapable of surviving safety in the community without treatment, and requires treatment to prevent a deterioration in condition that will predictable result in meeting civil commitment criteria

29. Provide dedicated funding to CMHPs to support 14-day intensive treatment (diversion from civil commitment) (Recommendation Survey Idea 37)

TOP 5 IDEAS OF HOUSE REPUBLICANS

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

30. Require OHA and OJD to collect data on AOT outcomes, such as participant experience, community safety, effectiveness of different intervention levels, and effect on later criminal justice system involvement (Recommendation Survey Idea 38)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Conditional Release

If the court determines the person has a mental illness and is in need of treatment, the court may order conditional release if:

- 1. The conditional release is requested by the legal guardian, relative, or friend of the person with mental illness;**
- 2. The legal guardian, relative, or friend requesting the conditional release requests to be allowed to care for the person during the period of commitment in a place satisfactory to the judge; and**
- 3. The legal guardian, relative, or friend requesting the release establishes to the satisfaction of the court their ability to care for the person and that there are adequate financial resources available for the care of the person**

31. Amend statute to clarify the kinds of support that OHA must provide to persons ordered to conditional release (Recommendation Survey Idea 39)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Inpatient Commitment

- **OHA has discretion to direct any court-committed person to the facility best able to treat the person, and the decision of OHA on such matters is final. OHA may delegate to a CMHP director, pursuant to OHA rules, the responsibility for assignment and transfer of civilly committed individuals to suitable facilities.**
- **Under OHA rules, a CMHP director may not place a person under civil commitment at OSH without consent of the OSH superintendent.**
- **OHA may only place a person in outpatient commitment if an adequate treatment facility is available.**
- **Inpatient civil commitment occurs in an OHA designated Class 1 facility. A Class 1 facility is OHA-approved to be locked to prevent a person from leaving the facility, to use seclusion and restraint, and to involuntarily administer psychiatric medication.**

32. Require OHA to establish an intensive care case management service that can identify and place individuals who need a higher level of care but are ineligible for the Oregon State Hospital (Recommendation Survey Idea 41)

TOP 5 IDEA OF OAHHS, OSH

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Outpatient Commitment

- **OHA may only place a person in an outpatient commitment if an adequate treatment facility is available. The CMHP of the county in which the hearing takes place must set the conditions for outpatient commitment and gives copies of the conditions to designated individuals and entities. The CMHP for the county where a person is on outpatient commitment may modify the conditions when a modification is in the best interest of the person.**
- **If the person responsible for the civilly committed individual determines that the person is failing to adhere to the terms and conditions of the placement, the person must notify the court of jurisdiction and the CMHP of the county in which the person on outpatient commitment lives.**
- **The court with jurisdiction may hold a hearing to determine if the person is violating the terms and conditions of placement. Pursuant to the court's determination, a person on placement shall either continue the placement on the same or modified conditions or be returned to OHA for involuntary care and treatment on an inpatient basis.**
- **If the person on placement is living in a county other than the committing court, the committing court shall transfer jurisdiction to the appropriate court of the county where the person is living.**

33. Amend statute to require peer support and wrap-around services for individuals on outpatient commitment (Recommendation Survey Idea 44)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

34. Require OHA to amend its County Financial Assistance Agreements to require and fund CMHP outreach services for civilly committed individuals placed in outpatient treatment (Recommendation Survey Idea 46)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

35. Establish mechanisms to certify, monitor, and measure the performance of facilities where civilly committed individuals are placed to provide trauma-informed care (Recommendation Survey Idea 47)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Changes in Placement

At any time, for good cause and in the best interest of the committed individual, OHA has authority to transfer a committed person from one facility to another.

- **If the transfer is to a facility in a less restrictive class, OHA must follow the procedures for trial visits**
- **If the transfer is to a facility in a more restrictive class, OHA must follow the procedures under ORS 426.275**

36. Require OHA to develop more transitional care options to enable transfers of civilly committed individuals from inpatient treatment to a lower level of care when appropriate (e.g., licensed treatment homes, secured residential treatment facilities, and foster homes) (Recommendation Survey Idea 49)

TOP 5 IDEAS OF CCO, OSSA

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Trial Visits

A trial visit refers to a transfer in placement of a civilly committed person from a higher to a lower level of care. The trial visit may be a transfer from the Oregon State Hospital to a community-based inpatient setting or from an inpatient to an outpatient setting.

- **OHA may grant a trial visit for a period of time and under any conditions OHA shall establish.**
- **OHA may not grant a trial visit without agreement by the CMHP director or designee for the county where the person would reside.**
- **The CMHP of the county in which the person on trial visit is receiving treatment must notify the court if the committed individual is not adhering to the terms and conditions of the placement.**
- **The court may hold a hearing on whether the person is failing to adhere to the terms and conditions, and may either continue the placement on the same or modified conditions or return the individual to OHA for involuntary care and treatment on an inpatient basis.**

37. Revise statutes and rules to change the term “trial visits” to something that more clearly describes its function (e.g., less restrictive placement) (Recommendation Survey Idea 50)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

38. Amend statute to clarify the entity responsible for a civilly committed individual during a trial visit (Recommendation Survey Idea 51)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
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Building Consensus Survey for Commitment to Change Workgroup Members

Medication

ORS 426.072(2)(c) authorizes a Licensed Independent Practitioner (LIP) to administer medication without obtaining prior informed consent, subject to OHA rules, to a person alleged to have a mental illness who has been placed in custody at a hospital or non-hospital facility.

Under OAR 309-033-0520, the OHA rule establishing classes of facilities that provide care, custody, or treatment to civilly committed persons, only a Class 1 facility has express authority to involuntarily administer psychiatric medication. Class 1 facilities may include a hospital, regional acute psychiatric care facilities, and other nonhospital facility approved under OAR 309-033-0530.

39. Require providers to include the individual under civil commitment as much as possible in developing treatment plans, including medication options (Recommendation Survey Idea 55)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

40. Require providers, when possible, to consider alternative treatment options when a committed individual has valid reasons not to want an ordered medication (Recommendation Survey Idea 56)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Recertification for Continued Civil Commitment

- **Decision to Issue Recertification.** At the end of the 180-day period of commitment, the treating facility may, in consultation with the CMHP of residence, issue a certification that the person is still a person with mental illness and in need of further treatment
- **Notice to Civilly Committed Person,** The treating facility must serve a copy of the certification on the civilly committed person and inform the committing court in writing that service has been made. The certification must notify the civilly committed person of their rights, including but not limited to rights to consult with an attorney, to court-appointed counsel for financially qualified individuals, and to protest the further period of commitment within 14 days.
- **Absent Protest, Person is Recommitted.** If the person does not protest within 14 days, commitment will be continued for an indefinite period of time up to 180 days.
- **Upon Protest, Court Again Notifies Person of Rights.** If the person protests, the court shall have the person brought before it and again advise the person of their rights.
- **Hearing Upon Request of Committed Individual.** If the person requests a hearing, the hearing shall be conducted as promptly as possible.

41. Require OJD to collect data on individuals who are recertified more than once to identify that population's unique needs (Recommendation Survey Idea 57)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

42. Amend statute to require court to appoint defense counsel as soon as possible in the recertification process (Recommendation Survey Idea 59)

TOP 5 IDEAS OF OCDLA

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

43. Amend statute or rule to require that OHA notifies defense counsel and an ombudsperson when recertification is pursued (Recommendation Survey Idea 60)

TOP 5 IDEA OF DRO, OCDLA

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Discharge and Dismissal

OHA may release a person from a hospital or other facility in which the person is being treated prior to the expiration of the period of commitment when, in the opinion of the facility or the Licensed Independent Practitioner who is treating the person, the person is no longer a person with mental illness.

44. Require providers or treatment facility to include and involve individuals under civil commitment in discharge planning (Recommendation Survey Idea 63)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

45. Require state to create a funding stream to establish and maintain long-term and intensive treatment options for individuals upon dismissal of a civil commitment case (Recommendation Survey Idea 64)

TOP 5 IDEAS OF OAHHS

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

46. Require CCOs and counties to allocate, provide, and prioritize continuing support services after the civil commitment is dismissed, including robust community outreach, an accessible service network, and individualized treatment options that go beyond psychotropic medications (Recommendation Survey Idea 65)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

47. Amend statute or rule to designate which entity will re-enroll individuals in the Oregon Health Plan immediately after discharge from civil commitment at OSH (Recommendation Survey Idea 66)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

48. Require state to fund support for non-Medicaid covered outreach services to individuals after dismissal of civil commitment case (Recommendation Survey Idea 67)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

49. Require OSH to notify the local CMHP when discharging an individual from civil commitment (Recommendation Survey Idea 68)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

50. Require OHA or CMHPs to track and report community-based supports provided to individuals following discharge and dismissal of commitment cases (Recommendation Survey Idea 69)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

51. Require OHA or CMHP to provide notice of discharge from commitment to the individual's legal counsel (Recommendation Survey Idea 70)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

52. Require OHA to amend County Financial Assistance Agreements to require and fund outreach services to individuals (and to their families and natural supports) who have been subject to multiple notices of mental illness without a commitment (Recommendation Survey Idea 72)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

53. Require OHA to collaborate with tribes before discharging a tribal member from commitment with adequate time to plan for care coordination (Recommendation Survey Idea 73)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

54. Require OHA or CMHP to provide all notices of discharge from commitment with enough time to coordinate care (Recommendation Survey Idea 74)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

55. Amend OHA contracts to specify who should be notified and when they should be notified of an individual's discharge from civil commitment (Recommendation Survey Idea 75)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
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Building Consensus Survey for Commitment to Change Workgroup Members

Data Sharing and Confidentiality (Case Management)

State and federal laws limit the sharing of personal health information about the person alleged to have a mental illness that may be helpful for the management of a civil commitment case.

56. Establish or expand mandatory training on HIPAA for investigators and treatment teams that focuses on what can be shared and when (rather than just what cannot be shared) with family members, natural supports, courts, and others with an interest in the civil commitment case (Recommendation Survey Idea 77)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

57. Establish a statewide system for tracking civil commitment to improve data sharing and standardization of care across counties (Recommendation Survey Idea 79)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

58. Explore use of psychiatric advance directives to facilitate needed information exchange and storage (Recommendation Survey Idea 80)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

59. Collect and analyze socioeconomic data about individuals in the civil commitment process (Recommendation Survey Idea 83)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
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Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Data Collection, Analysis, and Reporting (policy)

Data collection, analysis, and reporting support the development of evidence-based policies to improve the civil commitment system. However, this work may be limited by a variety of factors, such as privacy laws, the need for intergovernmental coordination, administrative burdens, and funding, among others.

60. Collect and analyze data on individuals who have engaged in the civil commitment process more than once, including the number of individuals with multiple engagements, the period of time between engagements, the number of times those individuals were engaged in the civil commitment system, and the reasons for the repeat engagements (Recommendation Survey Idea 84)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

61. Collect and analyze quantitative and qualitative data on individuals with traumatic brain injuries and dementia that were subject to NMIs, including the number of NMIs and number committed under ORS chapter 426 or 427 (Recommendation Survey Idea 86)

TOP 5 IDEAS OF ODHS

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

62. Collect data to compare and report the types, quantity, and outcomes of treatment and services provided by counties to civilly committed individuals (Recommendation Survey Idea 87)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

63. Research civil commitment systems in other states and other parts of the world
(Recommendation Survey Idea 88)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

64. Analyze CCO claims data to determine if individuals with co-occurring mental illness and intellectual disabilities are placed in emergency departments for longer than average period of time (Recommendation Survey Idea 89)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

Building Consensus Survey for Commitment to Change Workgroup Members

Rights of Individuals in Civil Commitment System

Individuals in the civil commitment system have numerous rights under state and federal laws. This section presents ideas to ensure compliance and expand those rights.

65. Require Oregon Public Defense Services to educate defense lawyers on effective representative of person with mental illness who do not want to be committed
(Recommendation Survey Idea 90)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

66. Amend rules to establish a process that supports individuals and families to access advocates, including patient advocacy organizations, legal advocates, and peers
(Recommendation Survey Idea 93)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Funding System

This section presents ideas to modify and improve Oregon's funding structures for the civil commitment system

67. Amend statute to require state agencies and counties to track and report the use and outcomes of designated behavioral health funding (Recommendation Survey Idea 94)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

68. Create a funding structure for civil commitment that incentivizes communities to apply best practices and evidence-based interventions for justice-involved individuals, including an outreach component (Recommendation Survey Idea 95)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

69. Research creative ways that other states have used Medicaid for housing and other needs of civilly committed individuals (Recommendation Survey Idea 96)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
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Building Consensus Survey for Commitment to Change Workgroup Members

Transportation

This section presents ideas to improve the quality and efficiency of transportation options for individuals engaged in the civil commitment system.

70. Clarify in statute or rule who is responsible to pay for secure transport of individuals in the civil commitment process and the amount of reasonable compensation for that service (Recommendation Survey Idea 97)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Liability

ORS 426.335 law establishes broad protections from criminal or civil liability for individuals that perform responsibilities under the civil commitment statutes (including initiation, investigation, representation of the state's interest, examination, case adjudication, conditional release, inpatient commitment, outpatient commitment, and trial visits).

71. Assess the types and level of concern about different areas of liability in the civil commitment system (Recommendation Survey Idea 98)

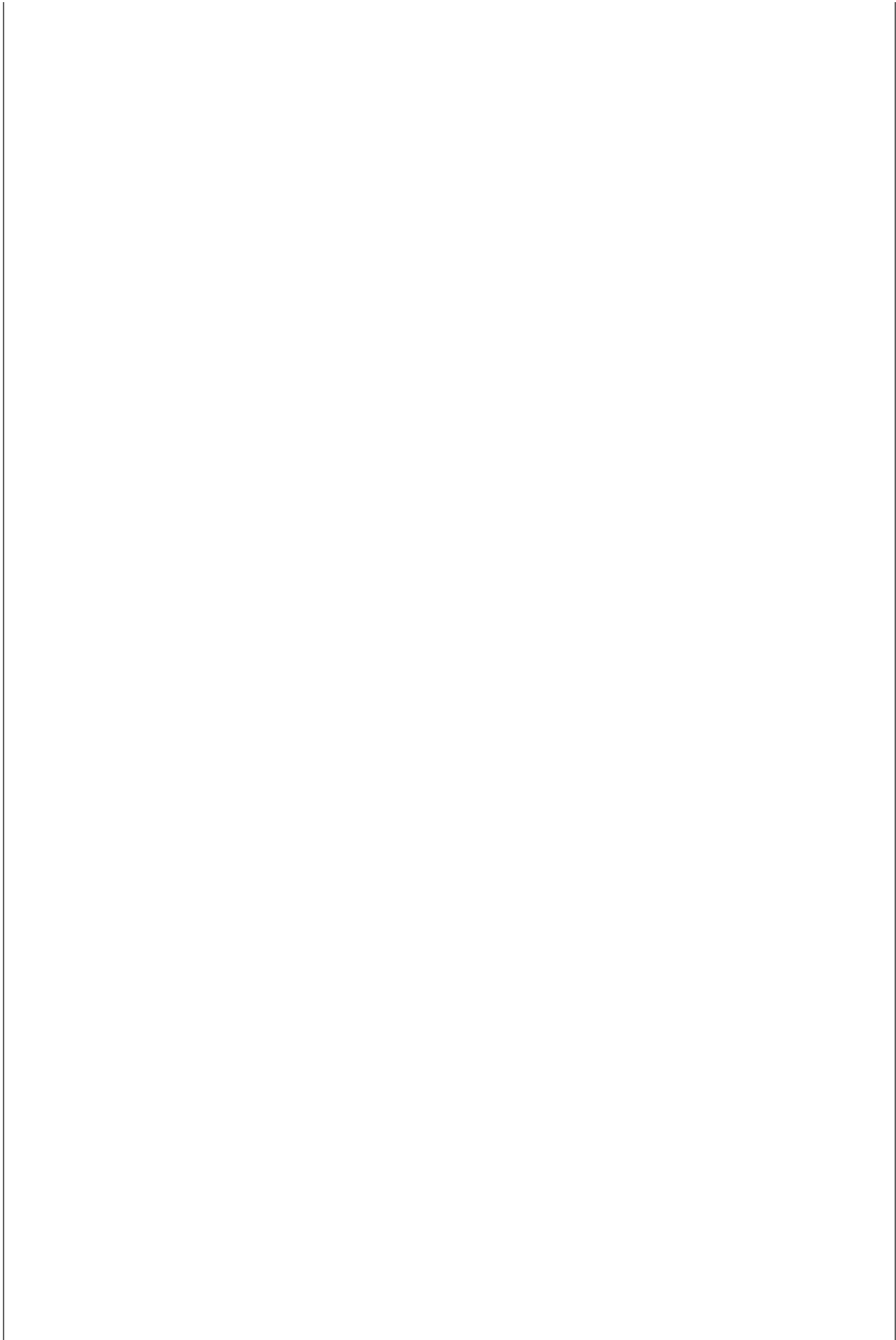
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

72. Require institutions caring for individuals under civil commitment to hold regular morbidity conferences and encourage learning from mistakes instead of withholding information because of liability concerns (Recommendation Survey Idea 99)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
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Building Consensus Survey for Commitment to Change Workgroup Members

Provider Safety

These ideas address personal safety risks to individuals who engage with individuals in the civil commitment process

73. Provide training and education on vicarious trauma to staff of residential treatment facilities, acute hospitals, and OSH (Recommendation Survey Idea 100)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

74. Require residential treatment facilities, acute hospitals, and OSH to provide situational training for staff to recognize when a situation is becoming unsafe (Recommendation Survey Idea 101)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Abstain

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Building Consensus Survey for Commitment to Change Workgroup Members

Collaboration with Oregon Tribes

These ideas address collaboration between the state, counties, and Oregon tribes concerning members of Oregon tribes who engage in the state's civil commitment system

75. Require the state to seek input from tribal governments and treatment providers on the civil commitment system, including AOT (Recommendation Survey Idea 103)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

76. Amend statute to require OHA and OJD to consult with the tribe of a tribal member who becomes subject to civil commitment proceedings to ensure compliance with relevant laws and coordination of resources (Recommendation Survey Idea 104)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

77. Amend rules to require CMHP directors to consult with the Oregon Tribe of a tribal member in the civil commitment system to improve compliance with existing rules concerning collaboration and information-sharing with tribes (Recommendation Survey Idea 106)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

78. Amend rules to allow tribes to participate in civil commitment proceedings involving tribal members, similar to a child welfare case (Recommendation Survey Idea 107)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Equity

These ideas address identification and resolution of potentially categorical inequities in Oregon's civil commitment system

79. Require the state to address inequities resulting from variations in first responder responses by establishing standards and training for law enforcement and other first responders on where to take a person who is experiencing a mental health crisis (Recommendation Survey Idea 108)

TOP 5 IDEAS OF OCDLA

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

80. Provide education and training to behavioral health providers about issues that may contribute to racial and ethnic disparities among individuals who are civilly committed (e.g., risk of dangerousness assessments) (Recommendation Survey Idea 109)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

81. Require state to address geographical inequities in the civil commitment system by providing more funding and training to rural areas that lack the staffing and resources necessary for inpatient-level of care (Recommendation Survey Idea 110)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

82. Amend statute to require OHA and OJD to track demographic data of individuals in the civil commitment system to assess disparities by race, ethnicity, sexual orientation, gender identity, or cultural characteristics (Recommendation Survey Idea 111)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

83. Amend statute to require bias and implicit bias training for all professionals working with the civil commitment population (Recommendation Survey Idea 112)

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Psychiatric Advance Directives

Psychiatric advance directives are legal documents that allow people to make decisions about future mental health care in case they are unable to make their own care decisions. Oregon law provides a template and governing statutes for "Declarations for Mental Health Treatment," which is how psychiatric advance directives are referred to within Oregon law.

84. Require OHA to promote the use of psychiatric advance directives to avoid the need for civil commitment when an individual experiences a mental health crisis (Recommendation Survey Idea 115)

TOP 5 IDEA OF DRO

- Recommend this idea as currently drafted
- Recommend advancing the concept/process presented in this idea but reserve the possibility to object to specific policy directions or unfunded mandates that may result from the open-ended process
- Would recommend this idea with specific changes to its wording (please specify in comment space below)
- Would recommend this idea if it were combined with other ideas in the Recommendation Survey (please specify in comment space below)
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- Abstain

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Building Consensus Survey for Commitment to Change Workgroup Members

Guardianships

The court may appoint a guardian to promote and protect the well-being of a protected person. A guardianship for an adult must be designed to encourage the development of maximum self-reliance and independence of the protected person and may be ordered only to the extent necessitated by the person's actual mental and physical limitations.

- **A petition must be filed with the appropriate court, and notice given to all interested persons**
- **Subject to law, a guardian may consent, refuse consent or withhold or withdraw consent to health care for the protected person**
- **Before a guardian may place an adult protected person in a mental health treatment facility, the guardian must file with the court, and the court shall hold a hearing on any objection**

85. Increase state funding for public guardian services for people who need long-term support options due to a behavioral health condition (Recommendation Survey Idea 116)

TOP 5 IDEAS OF AOC, OSH

- Recommend this idea as currently drafted
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- Would recommend this idea with specific changes to its wording (please specify in comment space below)
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Building Consensus Survey for Commitment to Change Workgroup Members

Commitment of Individuals with an Intellectual Disability

Commitment of individuals with an intellectual disability are governed by ORS Chapter 427, rather than ORS Chapter 426, which governs commitment of persons with a mental illness. An individual with an intellectual disability may be committed to the jurisdiction of the Oregon Department of Human Services if the court determines that the individual is dangerous to self or others, or is unable to provide for their basic personal needs and is not receiving the care necessary for health, safety or habilitation.

86. Require state to develop or provide access to specialized treatment programs for individuals committed for intellectual disabilities (Recommendation Survey Idea 118)

TOP 5 IDEAS OF ODHS

- Recommend this idea as currently drafted
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- Cannot recommend this idea, even with specific wording changes or combined with other ideas
- Abstain

Please use this space to specify suggested wording changes and/or other ideas that must be combined for your entity/agency/organization to recommend this idea.

87. Require state to provide statewide training for behavioral health treatment providers on working with civilly committed individuals with intellectual disabilities (Recommendation Survey Idea 119)

- Recommend this idea as currently drafted
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Building Consensus Survey for Commitment to Change Workgroup Members

Co-Occurring Mental Illness and Substance Use Disorder

A substantial number of individuals in the civil commitment system have co-occurring substance use disorder. However, Oregon's civil commitment statutes are silent regarding substance use disorders. They do not address whether or how the court should consider substance use disorders in the determination of whether a person is in need of civil commitment. Nor do they address treatment for substance used disorders for individuals who are civilly committed.

88. Explore different treatment models for civilly committed individuals with co-occurring mental illness and substance use disorder (Recommendation Survey Idea 122)

- Recommend this idea as currently drafted
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Building Consensus Survey for Commitment to Change Workgroup Members

Education about Civil Commitment

While other sections include ideas about training and education concerning specific parts of the civil commitment system, the ideas in this section are more general.

89. Expand training to behavioral health providers, county behavioral health entities, judges, district attorneys, and public defenders on the purpose, legal requirements, and processes of civil commitment to include the perspectives of both the justice system and behavioral health system (Recommendation Survey Idea 125)

- Recommend this idea as currently drafted
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Building Consensus Survey for Commitment to Change Workgroup Members

Structural System Changes

This section includes ideas to modify or expand the roles and responsibilities of government entities.

90. Amend statute to require OHA to provide a broader scope of treatment and services to civilly committed individuals that support social determinants of health (e.g., safe housing, recovery-oriented mental health services for health and well-being) (Recommendation Survey Idea 127)

TOP 5 IDEAS OF OAHHS

- Recommend this idea as currently drafted
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Building Consensus Survey for Commitment to Change Workgroup Members

Thank You!

Thank you for taking the time to complete this survey and for your participation on the Commitment to Change Workgroup.