

Recommendations Survey for Commitment to Change Workgroup Members

Purpose of Survey

The purpose of this survey is for CTC Workgroup members to identify the position of the stakeholder group that they were appointed to represent for each idea presented.

The ideas presented in this survey follow from the results of the "Ideas Survey," which members completed on March 1, 2024. The Ideas Survey presented the full scope of ideas that were raised between October 2022 and February 2024 at CTC Workgroup meetings, through constituent surveys, constituent feedback sessions, and direct communications from the public to workgroup staff. The intention of the Ideas Survey was to ensure a transparent and inclusive presentation of ideas to workgroup members from all who provided input. The Ideas Survey included 246 ideas. The full results of the Ideas Survey were distributed to Workgroup members and will be included in the final workgroup report.

This survey differs from the Ideas Survey in four ways:

- 1. The ideas presented in this survey are a subset of those in the Ideas Survey, including those that received a positive response from 80% or more of respondents. (Positive response options in the Ideas Survey were: "Great idea!", "Like with reservations (minor concerns or support only if other things happen concurrently)", and "Initial reaction positive but want more information")**
- 2. The answer choices are different. In this survey, the question is whether you recommend this idea. Your choices are: Yes, No, Abstain, or It Depends. If you answer either "No" or "It Depends," you are asked to provide additional information in the comment box.**
- 3. Results of the Recommendation Survey (this survey) will show how each member entity responded to each idea and which ideas had support or objections from most stakeholders. Narrative explanations provided by member entities for their positions on each idea will also be included. For that reason, workgroup members who represent a government office, association, or organization that requires approval to speak on its behalf in survey responses are asked to secure approval before the submitting responses, which are due by May 17.**
- 4. Workgroup recommendations will be based on the results of this survey and include only those ideas that receive unanimous "yes" responses among the respondents to that idea. Workgroup recommendations will be included in the final report.**

Recommendations Survey for Commitment to Change Workgroup Members

Survey Instructions

The survey consists of 45 sections with a total of 127 ideas and an opportunity to provide overall comments at the end. At the top of every section is a brief summary of the issue area and a summary of the current Oregon statutes or administrative rules where applicable.

For each idea, you will have the same answer choices:

- Yes
- No
- Abstain
- It Depends

If you respond "No" or "It Depends," please explain your position in the comment box. Your explanations are essential to give all stakeholders a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

Estimated time to complete the survey ranges from two to six hours. 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).

Recommendations Survey for Commitment to Change Workgroup Members

Survey Assumptions - IMPORTANT! PLEASE READ

I. Lens of Survey Respondents

Each member appointed to the CTC Workgroup was selected to represent the entire constituency of individuals who share a vantage point or area of interest (stakeholder). Please respond to each idea in the survey from the lens of the stakeholder you were appointed to represent.

- If you represent a government entity (*e.g.*, OHA, OSH, ODHS, OJD, Governor's Office), please respond from the lens of the entity itself, as reflected by its leadership, not from the broader lens of people served by that entity (the lens of people served by those entities will be provided by other workgroup representatives).
- If you represent an association (*e.g.*, ODAA, OACMHP), please respond from the lens of the members of that association as reflected by the association leadership or governing board.
- If you represent a non-governmental organization that focuses on advocacy for people with lived experience (*e.g.*, NAMI Oregon, DRO, MOMI), please respond from the lens of the organization as reflected by the organization's leadership or governing board.
- The survey structure has inherent limitations in that the views of any stakeholder group are rarely monolithic. Please use the comment boxes throughout the survey to note where the entity/constituency you represent has more than one perspective on an idea.

II. Responding "YES" to General Ideas

Some survey ideas are general or partial in scope and will require additional discussion on the substantive details before implementation is possible.

- For purposes of this survey, responding "YES" to a general or partial idea means you support moving the idea forward to discuss and develop the details.
- You reserve the ability to develop a position on the substantive aspects of the idea as the details emerge.
- Example: "Amend statute to clarify when in the civil commitment process the court must appoint legal counsel to financially eligible individuals. Responding "Yes" means you support adding a provision to statute that specifies when the court must appoint counsel. Responding "Yes" does not commit you to agreeing on when in the civil commitment process the court must appoint counsel.

III. Ideas that Require Funding to Implement.

- For purposes of this survey, responding "YES" means you recommend the idea

on the premise that it would receive needed funding and not be an unfunded mandate.

- **You reserve the ability to later object to implementation of that idea on the basis of insufficient funding.**

You have now completed the instructions and will begin responding to the survey in the next section. Thank you!

Recommendations 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?

Recommendations 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. Require the state to ensure access to community-based behavioral health treatment by individuals before they need civil commitment by requiring every region to have an adequate network of community-based resources

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

3. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

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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.

5. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

6. Create a state funding mechanism to reimburse community case managers for outreach efforts to individuals in need of behavioral health care

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

8. Require state to build and fund more mental health crisis centers so emergency rooms are not the only option

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

9. Require first responder training on use of mental health crisis centers as an alternative to emergency rooms

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

10. Educate providers on when an individual may be released from a psychiatric hold following submission of an NMI to the court

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

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.

11. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

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Recommendations 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.

12. Amend statute to expand criteria a judge MAY consider when determining whether to issue a warrant of detention (e.g., inability to meet basic needs)

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

13. Require Oregon Judicial Department to collect data on the factual findings in which judges issue warrants of detention

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

14. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

15. Amend statutes or rules to require that civil commitment investigators provide all information specified in OAR 309-033-0920 or explain why missing information cannot be obtained

- Yes
- No
- Abstain
- It Depends

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16. Require civil commitment investigators to participate in continuing education following initial certification that includes updates on relevant legal and clinical information

- Yes
- No
- Abstain
- It Depends

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Recommendations Survey for Commitment to Change Workgroup Members

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.

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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

18. Amend statute to require state or local behavioral health care systems to follow up periodically with individuals following a 14-day diversion from commitment (frequency and duration to be determined)

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

19. Amend statute to require that peer support services are provided to an individual upon completion of diversion treatment

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

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Recommendations Survey for Commitment to Change Workgroup Members

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.

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

- Yes
- No
- Abstain
- It Depends

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Recommendations 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.

22. Amend statute to clarify when in the civil commitment process the court must appoint legal counsel to financially eligible individuals

- Yes
- No
- Abstain
- It Depends

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23. Amend statute to require continuity of appointed legal counsel throughout process when feasible

- Yes
- No
- Abstain
- It Depends

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24. 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

- Yes
- No
- Abstain
- It Depends

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Access to Medical Records

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

25. Amend statute to require OHA to provide relevant medical records requested by defense attorneys in a civil commitment case at least 24 hours before the hearing

- Yes
- No
- Abstain
- It Depends

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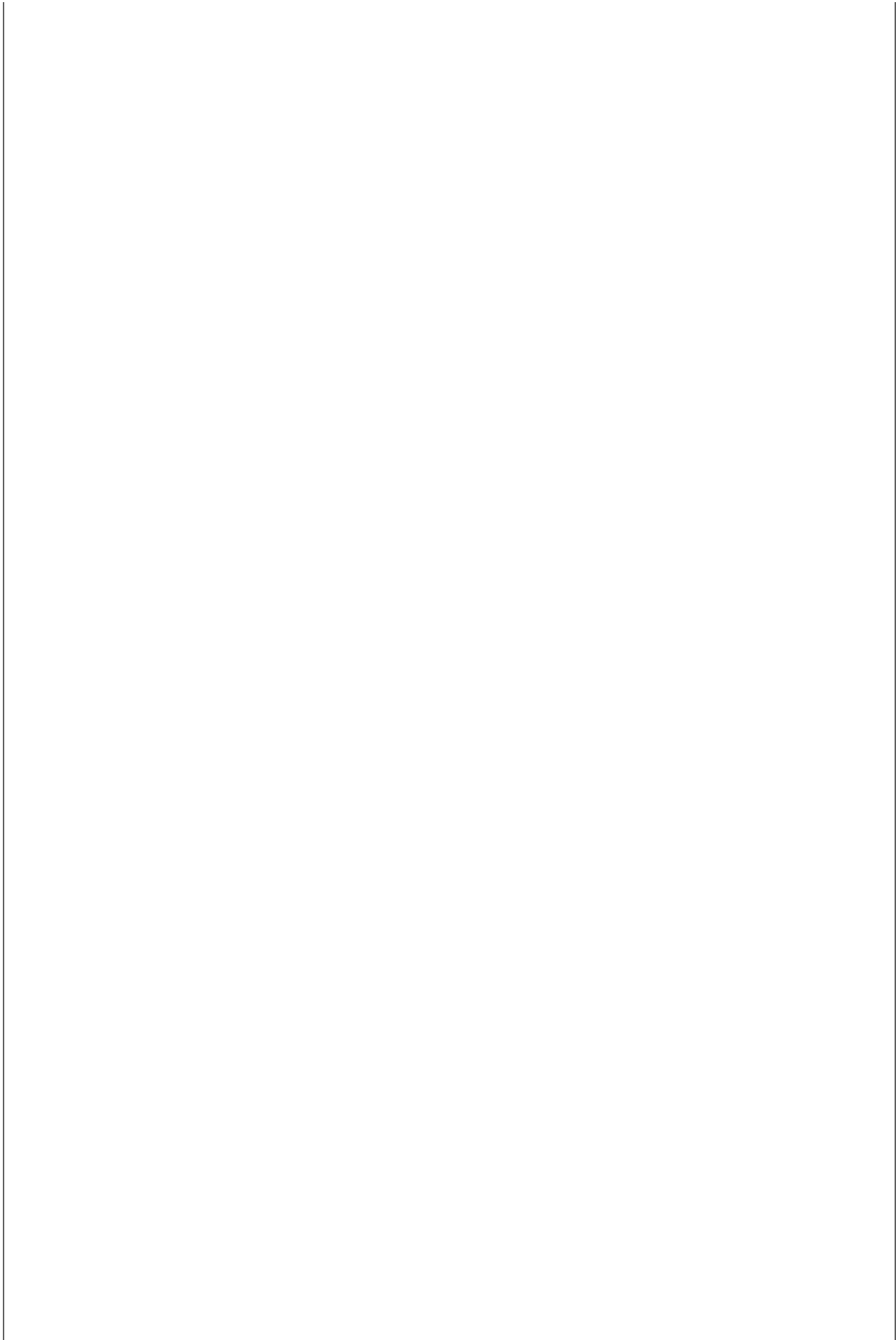
26. Amend statute to require hospitals to share pertinent documentation from electronic health record with defense attorneys for civil commitment hearings

- Yes
- No
- Abstain
- It Depends

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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.

27. 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))

- Yes
- No
- Abstain
- It Depends

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28. Require state to create a centralized database of mental health examiners that is available to courts and CMHPs

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

29. Amend statute to expand training requirements for mental health examiners in civil commitment cases

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

30. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

Criteria for Civil Commitment

The court may order commitment of a person to the Oregon Health Authority for treatment if the court determines that the person:

1. Has a mental illness and is in need of treatment; and
2. It is not in the best interest of the person for the court to release the person and dismiss the case the person to participate in treatment on a voluntary basis or to order conditional release

32. Amend statute to lower the legal threshold for civil commitment

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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.

33. Amend statute to add a definition of “mental disorder” for purposes of determining whether an individual is a “person with mental illness”

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

Court Options Following Determination of Mental Illness

If the court determines the person is a person with mental illness, it makes additional findings to order one of the following:

- 1. Release of person and dismiss the case**
- 2. Conditional release**
- 3. Commitment to Oregon Health Authority**

If the court determines the person is NOT a person with mental illness, it may dismiss the case; or order the person to participate in assisted outpatient treatment.

34. Amend statute to create a tiered system of civil commitment with different criteria for each tier, which would authorize courts to order community-based outpatient commitment, community-based inpatient commitment, or commitment at the Oregon State Hospital

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

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

35. Allocate sufficient legislative funding for needed community-based mental health resources to ensure capacity for assisted outpatient treatment (AOT)

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

36. Amend AOT statutes to authorize courts to oversee and enforce court-ordered participation in appropriate community-based treatment and services

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

38. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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**

39. Amend statute to clarify the kinds of support that OHA must provide to persons ordered to conditional release

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.**

40. Establish criteria in statute or rule to determine when the Oregon State Hospital must admit civilly committed individuals

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

41. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

42. Require treatment facilities, acute hospitals, and OSH use evidence-based and best practices related to physical space utilization to improve the therapeutic potential of civil commitments

- Yes
- No
- Abstain
- It Depends

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Recommendations Survey for Commitment to Change Workgroup Members

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.**

43. Amend statutes to establish criteria for OHA or CMHP placement of civilly committed individuals, including individual's diagnostic needs, probability to succeed in that placement, and least restrictive environment possible

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

44. Amend statute to require peer support and wrap-around services for individuals on outpatient commitment

- Yes
- No
- Abstain
- It Depends

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45. Require OHA to seek Medicaid waiver that authorizes use of Medicaid dollars to build public housing or otherwise provide housing assistance to individuals under court orders to participate in community-based behavioral health treatment

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

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

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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**

48. Amend statutes or rules to establish mechanisms to transfer individuals between support levels (see Washington's new AOT legislation)

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

49. 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)

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.**

50. Revise statutes and rules to change the term "trial visits" to something that more clearly describes its function (e.g., less restrictive placement)

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

51. Amend statute to clarify the entity responsible for a civilly committed individual during a trial visit

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

52. Amend statute to require civilly committed individuals on a trial visit to engage in AOT by requiring regular check-ins with the judge, AOT case manager, AOT monitor, and treatment team to promote recovery and client engagement and help individuals feel heard and seen during the trial visit period

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

53. Amend statute to require courts to hold status hearings for individuals on trial visits

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

54. Require OHA to train providers of civilly committed individuals on the potentially traumatic effects of involuntary medication and how giving individuals more choice may improve treatment outcomes

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

55. Require providers to include the individual under civil commitment as much as possible in developing treatment plans, including medication options

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

56. Require providers, when possible, to consider alternative treatment options when a committed individual has valid reasons not to want an ordered medication

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

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.

57. Require OJD to collect data on individuals who are recertified more than once to identify that population's unique needs

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

58. Amend statute or rule to require OHA to notify individuals facing recertification about the availability of patient rights organizations, such as the OHA Office of Recovery and Resilience (Washington State has a similar Office of Behavioral Health Advocacy)

- Yes
- No
- Abstain
- It Depends

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59. Amend statute to require court to appoint defense counsel as soon as possible in the recertification process

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

60. Amend statute or rule to require that OHA notifies defense counsel and an ombudsperson when recertification is pursued

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

61. Require OHA to collect data on how individuals facing recertification navigate the civil commitment system

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

62. Require OJD to collect data on the total number of recommitments, number of contested recommitments, reasons for contesting, and how long people remain in the civil commitment system

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

63. Require providers or treatment facility to include and involve individuals under civil commitment in discharge planning

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

64. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

65. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

66. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

67. Require state to fund support for non-Medicaid covered outreach services to individuals after dismissal of civil commitment case

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

68. Require OSH to notify the local CMHP when discharging an individual from civil commitment

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

69. Require OHA or CMHPs to track and report community-based supports provided to individuals following discharge and dismissal of commitment cases

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

70. Require OHA or CMHP to provide notice of discharge from commitment to the individual's legal counsel

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

71. Establish a system to improve communication between jails and the state hospital for justice-involved individuals who are discharged to custody after civil commitment

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

72. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

73. Require OHA to collaborate with tribes before discharging a tribal member from commitment with adequate time to plan for care coordination

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

74. Require OHA or CMHP to provide all notices of discharge from commitment with enough time to coordinate care

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

75. Amend OHA contracts to specify who should be notified and when they should be notified of an individual's discharge from civil commitment

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

76. Establish procedures to encourage investigators and treatment teams to seek a release of information that enables them to continue communication with the individual's family members or natural supports throughout the commitment process

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

77. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

78. Establish a centralized state repository for NMIs than can be accessed by investigators, providers, and courts

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

79. Establish a statewide system for tracking civil commitment to improve data sharing and standardization of care across counties

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

80. Explore use of psychiatric advance directives to facilitate needed information exchange and storage

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

81. Establish a civil commitment monitoring system (e.g., a robust and funded program that follows people through the entire civil commitment system for improved care coordination, treatment outcomes, and compliance)

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

82. Collect data and report how placement of individuals under civil commitment differs in different communities

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

83. Collect and analyze socioeconomic data about individuals in the civil commitment process

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

84. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

85. Improve data collection efforts by to match court records involving the same individual across cases and case types

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

86. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

87. Collect data to compare and report the types, quantity, and outcomes of treatment and services provided by counties to civilly committed individuals

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

88. Research civil commitment systems in other states and other parts of the world

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

89. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

91. Require OHA to identify individuals in civil commitment cases who may require specialized legal advocacy (e.g., people with intellectual and developmental disabilities)

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

92. Amend statute or rule to appoint the same defense counsel to represent and individual throughout the civil commitment process when possible

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

93. Amend rules to establish a process that supports individuals and families to access advocates, including patient advocacy organizations, legal advocates, and peers

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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

94. Amend statute to require state agencies and counties to track and report the use and outcomes of designated behavioral health funding

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

95. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

96. Research creative ways that other states have used Medicaid for housing and other needs of civilly committed individuals

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

97. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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).

98. Assess the types and level of concern about different areas of liability in the civil commitment system

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

99. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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

100. Provide training and education on vicarious trauma to staff of residential treatment facilities, acute hospitals, and OSH

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

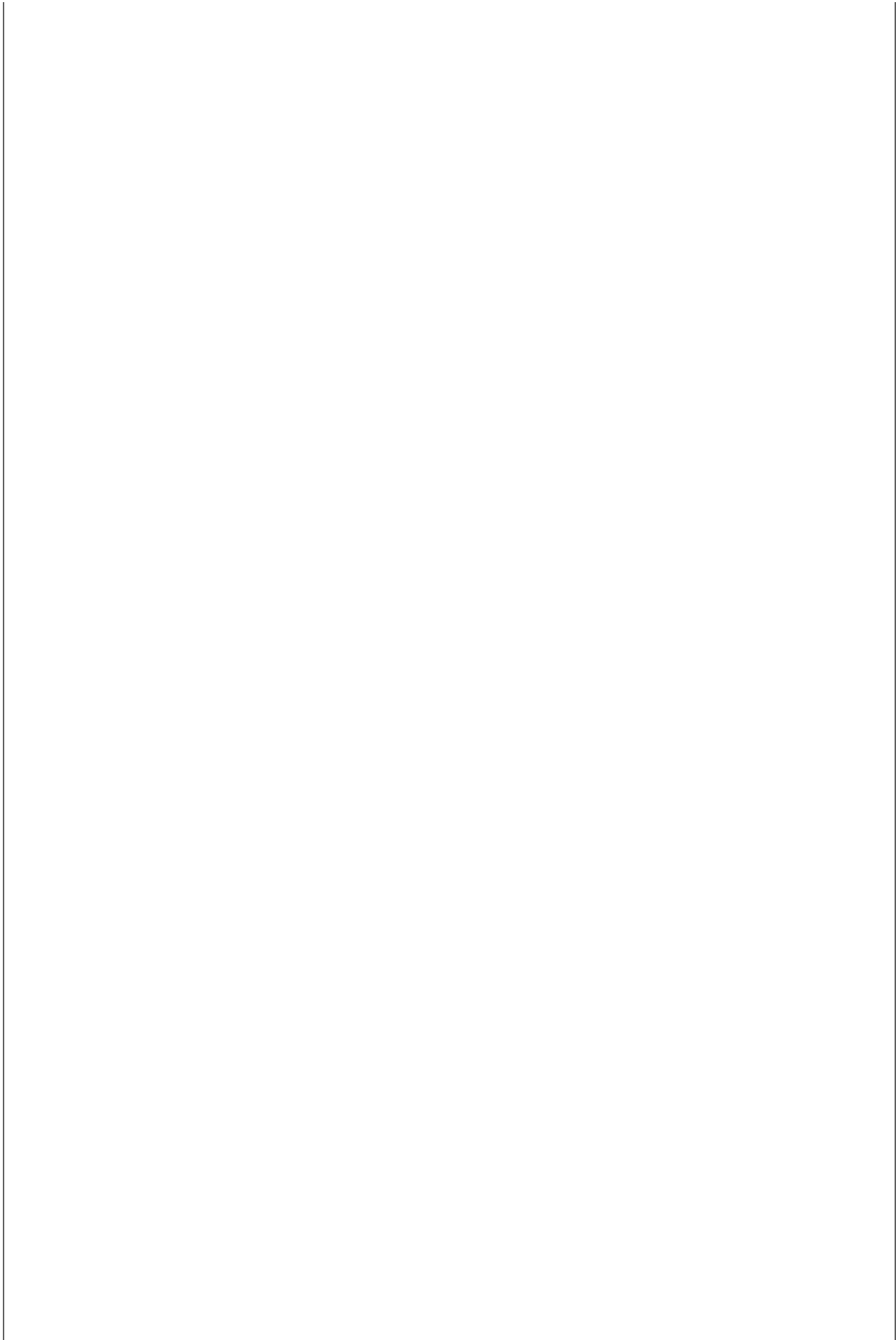
101. Require residential treatment facilities, acute hospitals, and OSH to provide situational training for staff to recognize when a situation is becoming unsafe

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):



Recommendations 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

102. Evaluate how tribal communities and tribal courts interact with the medical and legal systems in civil commitment processes

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

103. Require the state to seek input from tribal governments and treatment providers on the civil commitment system, including AOT

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

104. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

105. Evaluate how cooperative agreements between Oregon and each of the Oregon Tribes may be used to improve the civil commitment process for tribal members

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

106. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

107. Amend rules to allow tribes to participate in civil commitment proceedings involving tribal members, similar to a child welfare case

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations Survey for Commitment to Change Workgroup Members

Equity

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

108. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

109. 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)

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

110. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

111. 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

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

112. Amend statute to require bias and implicit bias training for all professionals working with the civil commitment population

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

113. Amend statute to require OHA to increase the number of secure residential treatment facilities throughout the state to ensure that individuals under civil commitment can be placed in their own community

- Yes
- No
- Abstain
- It Depends

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Recommendations Survey for Commitment to Change Workgroup Members

Transition between Aid & Assist and Civil Commitment Processes

Oregon's aid & assist statutes list as a possible action by courts following a determination that an individual is unfit to proceed in a criminal proceeding that the court may commence a civil commitment proceeding.

114. Amend statute to address time limits and other procedural requirements when initiating a civil commitment proceeding for an individual who is a defendant in a criminal case and has been found unfit to proceed

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

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Recommendations 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.

115. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

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Recommendations 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**

116. Increase state funding for public guardian services for people who need long-term support options due to a behavioral health condition

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

Recommendations 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.

117. Require Oregon Developmental Disabilities Program to establish acute support options for people with intellectual disabilities with a co-occurring mental illness

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

118. Require state to develop or provide access to specialized treatment programs for individuals committed for intellectual disabilities

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

119. Require state to provide statewide training for behavioral health treatment providers on working with civilly committed individuals with intellectual disabilities

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

120. Amend statute to require OHA and DHS to ensure that facilities and providers are available to support people with co-occurring mental illness and intellectual disabilities

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

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121. Require state to develop and implement plans to expand Oregon's access to qualified evaluators who can diagnose and assist with treatment decisions for individuals with intellectual disabilities

- Yes
- No
- Abstain
- It Depends

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Recommendations 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.

122. Explore different treatment models for civilly committed individuals with co-occurring mental illness and substance use disorder

- Yes
- No
- Abstain
- It Depends

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If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

123. Amend statute and rules to require publicly-funded behavioral health treatment facilities to train providers in assessment and treatment of individuals with co-occurring mental illness and substance use disorder

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

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124. Amend statute to prohibit dual-diagnosis programs from excluding individuals on the basis of their mental health symptom acuity

- Yes
- No
- Abstain
- It Depends

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Recommendations 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.

125. 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

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

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126. Require circuit court judges to participate in regular listening sessions with people with lived experience in the civil commitment system (including families) to hear how the system is working from their perspective

- Yes
- No
- Abstain
- It Depends

IF YOUR ANSWER IS "NO" OR "IT DEPENDS," PROVIDE ADDITIONAL EXPLANATION HERE. Your explanation is essential to give your entity a meaningful voice in the final report and to inform the Chief Justice and policymakers on next steps.

If your answer is "No," explain why your entity and constituency would not recommend this idea.

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Recommendations 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.

127. 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)

- Yes
- No
- Abstain
- It Depends

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If your answer is "No," explain why your entity and constituency would not recommend this idea.

If your answer is "It Depends," specify what your recommendation depends on, including what additional information you would need, what essential wordsmithing would be necessary, or what other things would need to happen concurrently or sequentially (NOTE: The workgroup presumes that many recommendations would require additional behavioral health resources.):

128. Amend statute to create a process for expunging civil commitments from an individual's record

- Yes
- No
- Abstain
- It Depends

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Recommendations Survey for Commitment to Change Workgroup Members

Comments

If you have any additional comments about this survey or the Civil Commitment Workgroup, please provide them here.

129. Use this space to provide comments on this survey (optional)

130. Use this space to provide comments on the Commitment to Change Workgroup (optional)

Recommendations 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.