

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	4 - 0 - 1
<b>Yeas:</b>	Carter, Gordly, Kruse, Monnes Anderson
<b>Nays:</b>	0
<b>Exc.:</b>	Courtney
<b>Prepared By:</b>	Shannon Strumpfer, Administrator
<b>Meeting Dates:</b>	3/7

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**WHAT THE MEASURE DOES:** Creates right for individuals who are committed to Department of Human Services (DHS) facilities to be given daily access to fresh air and outdoors.

**ISSUES DISCUSSED:**

- What constitutes outdoors—must individuals be taken to a park or remain onsite

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 1967, Oregon enacted the Bill of Rights for individuals who have been involuntarily committed to the state psychiatric hospital. The Bill of Rights, codified in ORS 426.385, sets forth standards that a facility must honor when individuals are placed in the state's custody for involuntary mental health evaluation or treatment. Current rights include reasonable access to telephones, sending and receiving mail, clothing, and access to a private storage area.

Under ORS 192.515 and .517, the Oregon Advocacy Center (OAC) is the designated agency that protects and advocates for the rights of individuals with disabilities or mental illnesses. Under state and federal law, OAC has the right of access to records and facilities where individuals receive services and the OAC also monitors court proceedings governing the enforcement of patient's rights. Recently, OAC has received complaints regarding the lack of access to fresh air and the outdoors.

HB 2312A and HB 2313A are companion bills.