

REVENUE: No revenue impact

FISCAL: No fiscal impact

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

WHAT THE MEASURE DOES: Creates right for individuals who are receiving state funded community mental health or developmental disabilities services to be given daily access to fresh air and outdoors. Requires facilities to post the name, address and telephone number of Oregon Advocacy Center (OAC) at treatment facilities.

ISSUES DISCUSSED: Provisions of the measure.

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. In 1993, Oregon enacted a similar Bill of Rights for individuals receiving state funded mental health or developmental disability services (ORS 430.210). 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 to protect and advocate 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.