

A-Engrossed Senate Bill 25

Ordered by the Senate February 19
Including Senate Amendments dated February 19

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Interim Committee on Oregon State Hospital Patient Care)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Oregon State Hospital Advisory Board. Specifies functions.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon State Hospital Advisory Board; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) There is established in the Department of Human Services the Oregon**
5 **State Hospital Advisory Board, consisting of 11 voting members appointed by the Governor**
6 **and subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and**
7 **171.565, and two nonvoting members from the Legislative Assembly, one appointed by the**
8 **President of the Senate and one appointed by the Speaker of the House of Representatives.**
9 **Of the members appointed by the Governor:**

10 (a) **Two shall be individuals who advocate for or provide representation to individuals**
11 **with mental illness;**

12 (b) **Two shall be health care professionals who have experience working with individuals**
13 **with mental illness;**

14 (c) **Two shall be individuals who are or have been consumers of mental health services,**
15 **at least one of whom is a former patient of the Oregon State Hospital located in Salem,**
16 **Marion County;**

17 (d) **One shall be a member of the family of a consumer of mental health services;**

18 (e) **One shall be a member of the general public who lives in the vicinity of the Oregon**
19 **State Hospital located in Salem, Marion County; and**

20 (f) **Three shall be members of a public employee bargaining unit who are employed by the**
21 **Oregon State Hospital located in Salem, Marion County, as follows:**

22 (A) **One individual to represent board certified physicians;**

23 (B) **One individual to represent board certified nursing staff; and**

24 (C) **One individual to represent direct care services staff.**

25 (2) **Members appointed by the Governor shall serve four-year terms, but a member serves**
26 **at the pleasure of the Governor. Before the expiration of the term of a member appointed**
27 **by the Governor, the Governor shall appoint a successor whose term begins on July 1 next**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 following. A member is eligible for reappointment.

2 (3) Members of the board appointed by the President of the Senate and the Speaker of
3 the House of Representatives shall serve two-year terms.

4 (4) If there is a vacancy for any cause, the appointing authority shall make an appoint-
5 ment to become immediately effective for the unexpired term.

6 (5) The Governor shall select one of the voting members of the Oregon State Hospital
7 Advisory Board as chairperson and another as vice chairperson, for such terms and with
8 duties and powers necessary for the performance of the functions of such offices as the
9 Governor determines.

10 (6) A majority of the voting members of the board constitutes a quorum for the trans-
11 action of business.

12 (7) The board shall meet at times and places specified by the call of the chairperson or
13 of a majority of the members of the board.

14 (8) Members of the board who are not members of the Legislative Assembly are not en-
15 titled to compensation for their services, but are entitled to reimbursement for actual and
16 necessary travel expenses incurred in the performance of their duties in the manner and the
17 amount provided in ORS 292.495 (2).

18 (9) Members of the board who are members of the Legislative Assembly shall be paid
19 compensation and expense reimbursement as provided in ORS 171.072, payable from funds
20 appropriated to the Legislative Assembly for that purpose.

21 (10) The Department of Human Services shall provide staff support to the board.

22 **SECTION 2.** The Governor shall appoint the voting members of the Oregon State Hospital
23 Advisory Board within 60 days after the effective date of this 2009 Act. Notwithstanding the
24 term of office specified by section 1 of this 2009 Act, of the members first appointed to the
25 Oregon State Hospital Advisory Board by the Governor:

26 (1) Two shall serve for terms ending July 1, 2010.

27 (2) Three shall serve for terms ending July 1, 2011.

28 (3) Three shall serve for terms ending July 1, 2012.

29 (4) Three shall serve for terms ending July 1, 2013.

30 **SECTION 3.** The Oregon State Hospital Advisory Board established by section 1 of this
31 2009 Act:

32 (1) Shall periodically conduct a comprehensive review of federal and state laws concern-
33 ing, and administrative rules, policies, procedures and protocols of the Oregon State Hospital
34 related to, the safety, security and care of patients;

35 (2) May make recommendations directly to the superintendent of the Oregon State Hos-
36 pital, the Director of Human Services, the Legislative Assembly or interim committees of the
37 Legislative Assembly concerning:

38 (a) Federal and state laws concerning, and administrative rules, policies, procedures and
39 protocols of the hospital related to, the safety, security and care of patients;

40 (b) Performance measures related to safety, security and care of patients;

41 (c) Goals for improvement in the safety, security and care of patients of the hospital and
42 improvements that are underway; and

43 (d) Potential legislative proposals or budget packages related to the hospital; and

44 (3) Shall report annually to an appropriate committee of the Legislative Assembly re-
45 garding the activities of the board.

1 **SECTION 4.** (1) The Oregon State Hospital Advisory Board may establish ad hoc com-
2 mittees to aid and advise the board in the performance of its functions. The chairperson of
3 the board shall appoint the chairperson of each committee. Each committee shall include no
4 more than two voting members of the board, and the remaining members of a committee
5 may not be members of the board.

6 (2) Members of ad hoc committees who are not members of the board are not entitled
7 to compensation. Members of committees who are members of the board may be compen-
8 sated or reimbursed as provided in section 1 of this 2009 Act.

9 **SECTION 5.** This 2009 Act being necessary for the immediate preservation of the public
10 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
11 on its passage.