

Enrolled
Senate Bill 25

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CHAPTER

AN ACT

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

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

SECTION 1. (1) There is established in the Department of Human Services the Oregon State Hospital Advisory Board, consisting of 16 members. Two nonvoting members shall be from the Legislative Assembly, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. Fourteen members shall be appointed by the Governor and be subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565 and shall include the following:

- (a) Three voting members who are individuals who advocate for or provide representation to individuals with mental illness;**
- (b) Three voting members who are health care professionals who have experience working with individuals with mental illness;**
- (c) Two voting members who are or have been consumers of mental health services, at least one of whom is a former patient of the Oregon State Hospital located in Salem, Marion County;**
- (d) One voting member who is a member of the family of a consumer of mental health services;**
- (e) Two voting members who are members of the general public who live in the vicinity of the Oregon State Hospital located in Salem, Marion County; and**
- (f) Three nonvoting members who are members of a public employee bargaining unit and who are employed by the Oregon State Hospital located in Salem, Marion County, as follows:**
 - (A) One individual to represent board-certified physicians;**
 - (B) One individual to represent board-certified nursing staff; and**
 - (C) One individual to represent direct care services staff.**
- (2) Members appointed by the Governor shall serve four-year terms, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member appointed by the Governor, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment.**
- (3) Members of the board appointed by the President of the Senate and the Speaker of the House of Representatives shall serve two-year terms.**
- (4) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term.**

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

(6) A majority of the voting members of the board constitutes a quorum for the transaction of business.

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

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

(9) A voting member of the board may not individually or in a fiduciary capacity have a financial interest in the Oregon State Hospital located in Salem, Marion County.

SECTION 2. The Governor shall make appointments to the Oregon State Hospital Advisory Board within 60 days after the effective date of this 2009 Act. Notwithstanding the term of office specified by section 1 of this 2009 Act, of the members first appointed to the Oregon State Hospital Advisory Board by the Governor:

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

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

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

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

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

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

(2) May make recommendations directly to the superintendent of the Oregon State Hospital, the Director of Human Services, the Legislative Assembly or interim committees of the Legislative Assembly concerning:

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

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

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

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

(3) Shall report annually to an appropriate committee of the Legislative Assembly regarding the activities of the board.

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

(2) Members of ad hoc committees are not entitled to compensation.

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

Passed by Senate June 12, 2009

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Secretary of Senate

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President of Senate

Passed by House June 22, 2009

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Speaker of House

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State