

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	5 - 0 - 0
Yeas:	Courtney, Dingfelder, Kruse, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Channa Newell, Counsel
Meeting Dates:	2/3

WHAT THE MEASURE DOES: Specifies procedure for civil commitment of Native American individuals if state does not have jurisdiction over individual. Allows individuals to be transferred to hospital other than Oregon State Hospital. Directs hospital or treating physician to notify tribe of actions taken no later than 24 hours after actions taken. Directs community mental health director to begin investigation within 72 hours of admission to state hospital or hospital. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Tribes affected by current law.
- Distance from reservation to Oregon State Hospital facility.
- Cost of transportation incurred by tribe.

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 426.180 was amended in 1987 and specified involuntary commitment procedures for individuals from a land-based reservation of Native Americans when the state does not have jurisdiction in the reservation. The statute only allowed individuals to be transferred to the Oregon State Hospital campuses for commitment.

Senate Bill 1505 updates the commitment procedures for individuals in Indian country where the state does not have jurisdiction. It allows the transfer of individuals to any licensed hospital. Senate Bill 1505 requires the director of the hospital or facility, or the attending physician, to notify the tribe of all actions taken relating to commitment within 24 hours of the action taken. Senate Bill 1505 directs the community mental health program director to initial an investigation of the commitment within 72 hours of admission to a hospital or facility.