

**AOCMHP Testimony on HB 3347-1**  
**To modify definition of “person with mental illness”**

April 3, 2015

To Chair Greenlick and Members of the House Health Care Committee:

I am testifying on behalf of the Association of Oregon Community Mental Health Programs on the -1 amendment to HB 3347. We empathize with the intent for which this bill was introduced, and we agree with the removal of all language related to grave disability on page 1, lines 15-20, and related to "presenting a likelihood of physical harm" on page 2, lines 7-22. Several other commitment bills have been introduced, and given the interest in community mental health system redesign, we believe we should evaluate the commitment statutes globally as a part of the larger system improvements. Further, we recommend a systematic process during the 15-17 biennium since statute changes could impact challenges that OHA is already struggling with, like the state hospital waitlist and acute care capacity, as well as our agreement with the USDOJ to ensure that people with severe and persistent mental illness live in the least restrictive settings possible. We suggest always considering practical, community-based alternatives to involuntary commitment first.

In the case of a person who is intoxicated or under the influence of controlled substances and is considered incapacitated, the person can be taken to a hospital and held for up to 48 hours on a safety hold, or hospital hold for A&D, as stated in Section 2 of 430.399. Since this statute already exists, the hospitals do not need special direction to use it. Some facilities have been willing to adopt this practice as it gives them more control over admissions and discharges from their hospitals. The physician must simply document in the person's medical record that s/he believes the person is under the influence of drugs or alcohol and currently presents as a danger to self or others. Legacy Hospital has developed forms so the physicians feel more comfortable using this section of the statute.

Thank you for the opportunity to provide testimony on HB 3347-1.

Sincerely,

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