

HOUSE AMENDMENTS TO HOUSE BILL 3347

By COMMITTEE ON HEALTH CARE

April 23

1 On page 1 of the printed bill, line 2, after “426.005” delete the rest of the line and insert a pe-
2 riod.

3 Delete lines 4 through 32 and delete pages 2 through 4 and insert:

4 “**SECTION 1.** ORS 426.005 is amended to read:

5 “426.005. (1) As used in ORS 426.005 to 426.390, unless the context requires otherwise:

6 “(a) ‘Community mental health program director’ means the director of an entity that provides
7 the services described in ORS 430.630 (3) to (5).

8 “(b) ‘Director of the facility’ means a superintendent of a state mental hospital, the chief of
9 psychiatric services in a community hospital or the person in charge of treatment and rehabilitation
10 programs at other treatment facilities.

11 “(c) ‘Facility’ means a state mental hospital, community hospital, residential facility,
12 detoxification center, day treatment facility or such other facility as the authority determines suit-
13 able that provides diagnosis and evaluation, medical care, detoxification, social services or rehabil-
14 itation to persons committed to the Oregon Health Authority under ORS 426.130.

15 “(d) ‘Nonhospital facility’ means any facility, other than a hospital, that is approved by the au-
16 thority to provide adequate security, psychiatric, nursing and other services to persons under ORS
17 426.232 or 426.233.

18 “(e) ‘Person with mental illness’ means a person who, because of a mental disorder, is one or
19 more of the following:

20 “(A) Dangerous to self or others.

21 “(B) Unable to provide for basic personal needs **that are necessary to avoid serious physical**
22 **harm in the near future**, and is not receiving such care as is necessary [*for health or safety*] **to**
23 **avoid such harm.**

24 “(C) A person:

25 “(i) With a chronic mental illness, as defined in ORS 426.495;

26 “(ii) Who, within the previous three years, has twice been placed in a hospital or approved in-
27 patient facility by the authority or the Department of Human Services under ORS 426.060;

28 “(iii) Who is exhibiting symptoms or behavior substantially similar to those that preceded and
29 led to one or more of the hospitalizations or inpatient placements referred to in sub-subparagraph
30 (ii) of this subparagraph; and

31 “(iv) Who, unless treated, will continue, to a reasonable medical probability, to physically or
32 mentally deteriorate so that the person will become a person described under either subparagraph
33 (A) or (B) of this paragraph or both.

34 “(f) ‘Prehearing period of detention’ means a period of time calculated from the initiation of
custody during which a person may be detained under ORS 426.228, 426.231, 426.232 or 426.233.

