

D R A F T

SUMMARY

Requires outpatient care as condition for trial visit of person committed to custody of Oregon Health Authority as person with mental illness. Specifies minimum conditions for trial visit.

A BILL FOR AN ACT

Relating to trial visits for committed persons; creating new provisions; and amending ORS 426.273.

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

SECTION 1. ORS 426.273 is amended to read:

426.273. (1) During a period of commitment of a patient under ORS 426.130, the Oregon Health Authority may grant a trial visit to the patient for a period of time and under *[any]* conditions the authority shall establish. The authority shall only grant a trial visit under this section if the trial visit is agreed to by the community mental health program director, or the designee of the director, for the county in which the person would reside.

(2) When in the opinion of the authority, the committed person can be appropriately served by outpatient care during the period of commitment, *[the]* outpatient care *[may]* **shall** be required as a condition for **the** trial visit for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment. *[If outpatient care is required as a condition for a trial visit,]*

(3) The conditions for a trial visit must address the specific goals and objectives of the committed person, as developed with the full involvement of the person, and any services necessary to accomplish the

goals and objectives. The conditions shall include [a] **but are not limited to:**

(a) Designation of a *[facility, service or other provider to provide care or treatment]* **community mental health program or a veterans facility under ORS 408.570, if applicable, in the county in which the person is to receive outpatient care and a description of how the person will connect to the program or facility;**

(b) **A provision for housing the person;**

(c) **Designation of a facility or other provider of medical health care, mental health care and prescribed medication;**

(d) **Assistance to the person in obtaining Social Security benefits or Supplemental Security Income benefits, medical assistance, supplemental nutrition assistance or other public benefits that would support the person in maintaining stability during the trial visit;**

(e) **If applicable, substance abuse treatment and relapse prevention services; and**

(f) **Advice to the person concerning the advisability of executing a declaration for mental health treatment under ORS 127.702.**

[(3)] (4) A copy of the conditions for a trial visit shall be given to all of the individuals or entities listed in ORS 426.278.

[(4)] (5) Any trial visit granted under this section is subject to the provisions under ORS 426.275.

[(5)] (6) The director of the community mental health program, or designee, of the county in which a person who is on trial visit lives while on trial visit may modify the conditions for continued trial visit when such modification is in the best interest of the person. The director shall send notification of such changes and the reasons for the changes to all those who received a copy of the original conditions under ORS 426.278.

SECTION 2. The amendments to ORS 426.273 by section 1 of this 2021 Act apply to trial visits granted by the Oregon Health Authority on and after the effective date of this 2021 Act.

