

**HB 2215 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Gelser

**Senate Committee On Human Services**

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**Action Date:** 03/12/19

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

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**Meeting Dates:** 2/14, 3/12

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**WHAT THE MEASURE DOES:**

Expands rights of individuals with mental illness committed under the jurisdiction of the Oregon Health Authority to include reasonable privacy and security while resting, sleeping, dressing, and taking care of personal hygiene. Limits reasonable privacy rights when it would create significant risk of harm to the person or others. Requires individuals to be immediately informed of any limitation of right to reasonable privacy and security. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Risks of suicidal ideation among committed persons
- Limitations on rights and process for committed person to object to limitations

**EFFECT OF AMENDMENT:**

Limits reasonable privacy rights when it would create significant risk of harm to the person or others. Requires individuals to be immediately informed of any limitation of right to reasonable privacy and security.

**BACKGROUND:**

The Oregon State Hospital (OSH) and many residential facilities operate under and are licensed by the Oregon Health Authority (OHA). Individuals committed to OSH, or ordered to undergo treatment in a residential setting, have a variety of rights under Oregon law, including the right to reasonable telephone access, to wear their own clothing, to have a written treatment plan and be kept current on their progress, to be compensated for work, and to access the outdoors daily, among others.

House Bill 2215 A expands the rights of individuals with mental illness and committed to OHA-licensed or regulated facilities to include reasonable privacy and security while resting, sleeping, dressing, or engaging in personal hygiene activities.