
Oregon State Hospital

Superintendent Greg Roberts

Thursday, May 29, 2014

The logo for the Oregon Health Authority is centered at the bottom of the slide. It features the word "Oregon" in a smaller, orange, sans-serif font above the word "Health" in a large, blue, serif font. Below "Health" is the word "Authority" in a smaller, orange, sans-serif font. The entire logo is set against a light blue, curved background that spans the width of the slide.

Oregon
Health
Authority

ORS 161.370

Court order to send a defendant for mental health treatment so he or she is:

- “Restored to competency”
- Able to “aid and assist” in her or his own defense

Services for patients under a .370 order

Primary treatment goals:

- Stabilization
- Ability to cooperate with attorneys and participate in their own defense

Treatment services:

- Treatment teams
- Treatment malls

Treatment teams

- Psychiatrist
- Psychologist
- Social worker
- Treatment care plan specialist
- Case monitor
- Registered nurse
- Peer recovery specialist

Treatment malls

- Centralized location for treatment activities
- 20 hours per week of active treatment
- Examples of .370 groups
 - Legal skills
 - Law library
 - Legal assistance
 - Medication management

Evaluations

- Certified examiners conduct periodic evaluations of patients
- Determine ability to “aid and assist” in their defense and ready to return to court.
- By statute, evaluations take place
 - Within 30 days of admission
 - 90 days of admission
 - every 180 days after that.
- Treatment teams may request an evaluation as soon as they believe the patient is ready

Possible evaluation outcomes

The evaluator may determine:

- **Able** – competent to stand trial
Patient sent back to jail to await trial
- **Not yet able** – not competent yet
Patient continues treatment at OSH
- **Never able** – unlikely to regain competency in the foreseeable future
Court dismisses the charges and either:
 - Orders that the patient be discharged; or
 - Initiates civil commitment proceedings

Outcomes

Roughly 20 percent of the patients at OSH are under a .370 order. Below is an overview of the outcomes for patients admitted under a .370 order from 2013. Seventy-seven percent of patients passed their evaluation.

Admitted	Unique Patients	Episodes of Care*	Able	Never Able	Other**
2013	410	425	311	57	57

*Episodes of Care (some patients had more than one admission under ORS 165.370)

** Patients who were discharged before receiving either “able” or “never able”

Length of Stay

The hospital may keep patients who are under an “aid and assist” order for:

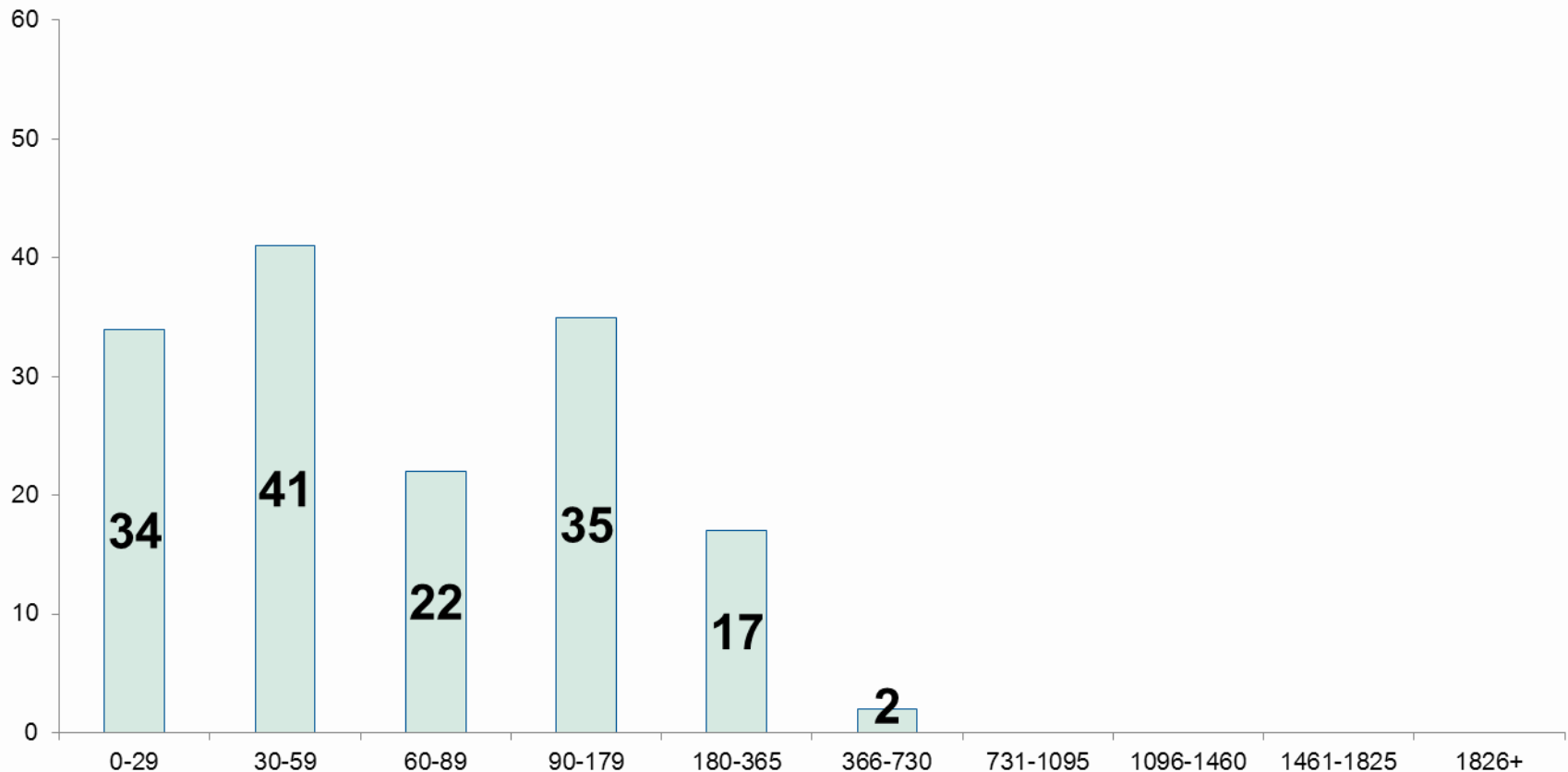
- up to three years; or
- maximum sentence the court could have imposed if the defendant had been convicted, whichever is shorter

2013 average length of stay

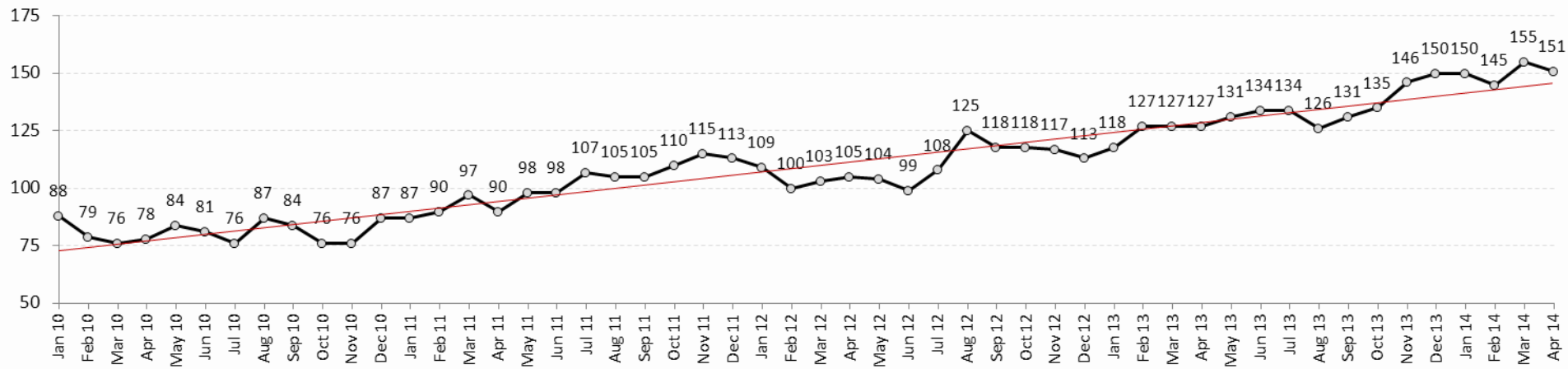
- 107.8 days – mean
- 71 – median

Length of Stay- May 01, 2014

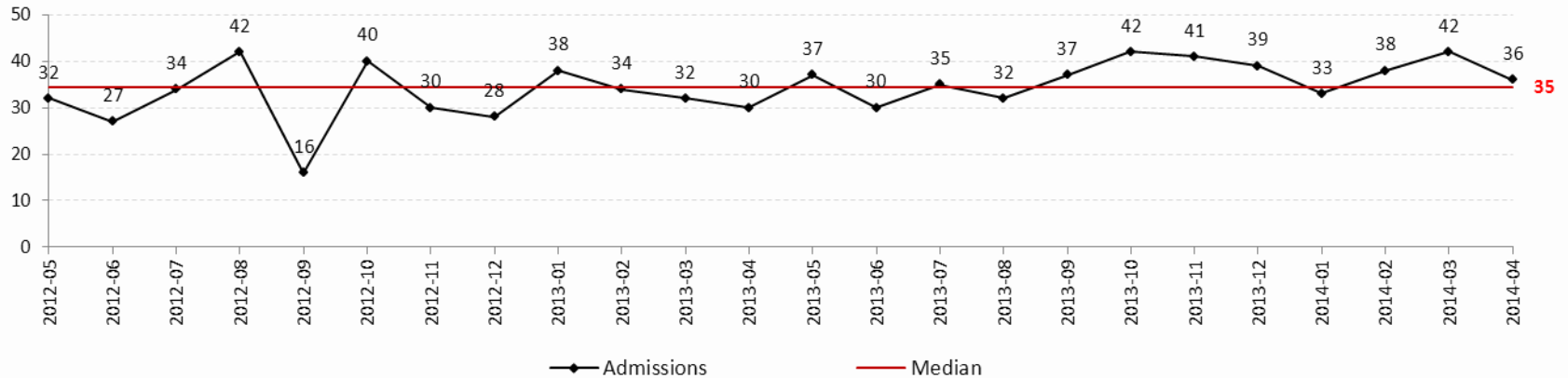
Days by Commitment Type (.370)



.370 Patient Monthly Population since 2010



.370 Patient Admissions by Month



.370 Patient Admissions

May 2013 – April 2014

Charges	.370 Admissions	Percentage
Felony	205	52%
Misdemeanor	173	44%
Other	15	4%
Total	393	100%

HB 3100 (2011) impact on .370

- Standardized psychiatric evaluation process
- Gave courts more flexibility and control over where individuals are treated when they are accused of a non-violent crime
- Courts may commit people to the state hospital *only* if:
 - they are a danger to self or others; or
 - the services and supports they need are not available in their communities.

Next steps

- Continue conversation with local law enforcement and criminal justice systems
- Assess outcomes of the Marion County .370 workgroup
- Reevaluate funding needs to better operationalize 2011's HB 3100, specific to misdemeanants

Oregon
Health
Authority