

---

# Update on Agreement with United States Department of Justice

Presented to the House Human Services and  
Housing committee

May 29, 2014

Pam Martin, Ph.D., ABPP  
Director, Addictions & Mental Health

Oregon  
Health  
Authority

---

# Olmstead Decision

- 1999 U.S. Supreme Court case
  - Two state hospital patients sue Georgia for not placing them in the community
  - Unjustified institutional isolation is a form of discrimination
- ADA “Integration Mandate” – people with disabilities must live in the most community-integrated setting possible

# Olmstead's impact on states

- Mental illness is a disability, thus covered by Americans with Disabilities Act
- States develop plans to appropriately serve people with mental illness
  - Goal: integrate people into the community
  - Reduce unnecessary institutionalization at a reasonable pace

# Oregon's Olmstead Plan

- 2011 – two-year plan
  - Reduce length of stay for Oregon State Hospital patients
  - Develop independent living environments
  - Prevent state hospitalization
  - Increase consumer participation
  - Adult Mental Health Initiative
  - Early Assessment and Support Alliance
- Current plan is being revised and updated

# USDOJ investigates

- States that may be violating the integration mandate
- Process
  - Investigation
  - Findings
  - Settlement agreement or file suit
- Settlement agreements typically mandate the state provide:
  - Agreed-upon services
  - Agreed-upon amounts

# USDOJ in Oregon

- 2006 – Investigation of Oregon State Hospital under Civil Rights of Institutionalized Persons Act
- 2007 – Significant legislative investments in OSH
- 2008 – Findings issued, investigation still open
- 2010 – New facility in Salem begins operation
  - Investigation turns to the community mental health system
- 2012 – Letter of Agreement, investigation put on hold

# Letter of Agreement

- Health System Transformation offers a “unique opportunity” for state and USDOJ to collaborate
- Embed reform in the design of the state’s new health care system
- Four-year agreement
  - Year 1 – Collect system data
  - Year 2 – Identify gaps
  - Year 3 – Identify outcome measures
  - Year 4 – Determine progress and make adjustments

# Year 1 – Data collection

- Collected data from community mental health programs and providers around the state
- Challenges
  - New data collection system database not operational yet
  - Needed data dictionary to define and standardize how data is collected

# Year 2 – Identify gaps

- January 2014 meeting
  - Agreement to significantly modify data matrix
  - Community mental health system overview
  - Reviewed 2013 mental health investments
  - Re-negotiated data matrix
- March 2014 meeting – updates on:
  - Evidence-based practices, investments
  - New data collection system
  - Coordinated care organizations
  - Data matrix revisions

# Next steps

- Quarterly meetings with USDOJ
- Strategic Planning Town Hall Meetings
- Train providers on new data collection system
- Ongoing review of system gaps
  - Assertive community treatment in urban areas
  - Agreements between providers and law enforcement
  - Targeted planning of supported housing
  - Crisis drop-off
- Office of Consumer affairs

# Oregon Health Authority