



May 22, 2020

## Memorandum

To: Partners of Oregon State Hospital (OSH)

From: Dolly Matteucci, OSH Superintendent/Chief Executive Officer

Subject: Changes to OSH's Discharge Timing for "Able" or "Never Able" Patients

After consultation with the Oregon Judicial Department, OSH will be changing the timing of its discharges of Aid and Assist under ORS 161.370 patients whom OSH finds "Able" or "Never Able" as follows:

Beginning on May 26, 2020, OSH will discharge defendants who are currently at OSH for restoration treatment to jail 2 business days after the evaluator's report has been filed with the court, unless the hospital receives notice that the conclusion will be contested.

If the hospital does not receive notification to contest this report's conclusion within 2 business days of filing the report, the defendant will be discharged to jail. If, however, the hospital receives notice from a party within 2 business days that this report's conclusion will be contested, the hospital will keep defendant until the contested hearing is held or will discharge the defendant within 30 days, whichever is sooner.

OSH has created a template notification that may be used to notify the hospital of the intent to contest the hospital's conclusion. That template, as well as other templates, may be found at <https://www.oregon.gov/oha/osh/legal/pages/index.aspx>

Notification of intent to contest OSH's conclusion should be sent to [OSH.CourtOrders@dhsoha.state.or.us](mailto:OSH.CourtOrders@dhsoha.state.or.us)

If you have questions about this change, please contact the OSH Legal Affairs Director, Micky Logan, at 503-947-2937.

