

# SENATE BILL 25 – WHAT YOU NEED TO KNOW

## WHEN?

The Governor signed SB 25, which took effect June 11, 2019.

## WHAT?

**Send orders within one day** – SB 25 requires courts to provide “.365” and “.370” orders to OSH and the community mental health program (CMHP) director or designee within one judicial day.

**Release records within five days** – SB 25 requires public bodies and private medical providers release medical records to OSH or designated facility to conduct a “.365” or “.370” evaluation within five days of receipt of the order. OYA, DOC and education-related districts and institutions are to comply with the court’s order within 15 business days.

**Confidential reports and evaluations** – Under ORS 161.315, 161.365 and 161.370, SB 25 requires reports and evaluations to be confidential and only made available to the court, prosecuting and defense attorneys, defendant, CMHP director or designee and the facility where the defendant is housed. The court can order the reports to be made available to others.

## WHY?

The Legislature’s intent is to standardize the procedure for courts to send orders to OSH and allow evaluators access to a defendant’s medical records to issue informed opinions to the court. This timely and structured approach ensures more feasible compliance with court orders and increases efficiency and service to patients by evaluators.

## HOW?

The court will send orders to [OSH.courtorders@dhsosha.state.or.us](mailto:OSH.courtorders@dhsosha.state.or.us).

## WHERE?

Here’s the link to SB 25:

<https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/SB25/Enrolled>

## QUESTIONS?

If you have any questions, please contact OSH Legal Affairs at 503-947-2937.

