

SENATE BILL 65 – WHAT YOU NEED TO KNOW

What?

SB 65 eliminates the Oregon Health Authority (OHA) State Hospital Review Panel (SHRP) in July 2018 and transfers its duties to the Psychiatric Security Review Board (PSRB).

When?

SB 65 has been signed by the Governor and takes effect on July 1, 2018.

How?

After July 1, 2018, all people who have been found guilty except for insanity (GEI) who have been under SHRP jurisdiction will be placed under the jurisdiction of the PSRB. The references to Oregon Health Authority (OHA) jurisdiction in the GEI statutes will be eliminated.

Why?

SHRP was created by the 2011 Legislature to help reduce the hospital's GEI population. By increasing the number of hearings for people with GEI commitments, the intent was to facilitate their conditional release from OSH. With that in mind, the Legislature created two tiers of patients and gave jurisdiction of Tier 2 – people with less-serious (non-Measure 11) offenses – to SHRP during their hospitalization at OSH. Since SHRP began holding hearings on January 1, 2012, the GEI population at OSH has decreased by 43%.

Now that the GEI population at OSH is more manageable, the Legislature is eliminating SHRP as of July 1, 2018. By transferring the jurisdiction of all people with GEI commitments to the PSRB, the Legislature hopes to save costs and increase efficiency.

How will the elimination of SHRP affect OSH patients?

Because SHRP operates under the same statutes and under similar rules as the PSRB, patients should not be affected by the change. The only difference is that patients who currently appear before SHRP will appear before the PSRB after July 1, 2018. The Legislature expects the rate of GEI commitments to OSH and releases to the community to remain the same.

How will patients find out about the change of jurisdiction?

Shortly before July 1, 2018, SHRP will send out notices informing patients under its jurisdiction (and other necessary parties) about the transfer to the PSRB. OSH treatment teams and patients' attorneys will discuss this change with patients before the transfer to assure them that the process will be the same.

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How will SB 65 affect patients under “.370” orders?

The GEI process will remain the same, except that there will no longer be Tier 1 or Tier 2. People who are considering pleading GEI in their criminal cases may need help understanding that – even if they are initially under the jurisdiction of SHRP – they will soon be under the jurisdiction of the PSRB.

Questions?

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

