

MINUTES
Psychiatric Security Review Board
Administrative Meeting
Adult Panel
March 20, 2019
Approved June 6, 2019

An administrative meeting of the Psychiatric Security Review Board was convened on March 20, 2019 at 8:30 a.m. in the fourth-floor conference room of 610 SW Alder Street, Portland, Oregon 97205. The following were in attendance:

- Adult Panel – Elena Balduzzi, Psy.D., Chair; Trisha Elmer, P.P.O.; Anne Nichol, J.D.; Scott Reichlin, M.D.; and John Swetnam.
- PSRB Staff – Alison Bort, J.D., Ph.D., Executive Director; Sid Moore, J.D., Deputy Director; and Jane Bigler, Executive Secretary, as note taker.
- Public Attendees – Harris Matarazzo, J.D.

The meeting was called to order at 8:37 a.m. by Dr. Balduzzi and she asked if any of the members of the public in attendance wished to make a comment. Mr. Matarazzo asked to reserve his right to 5 minutes of public comment if he sees need later in the meeting. The Board agreed.

Next was a reconsideration of the minutes already reviewed on December 12, 2018 and approved with changes. When Dr. Bort was reviewing the approved minutes on page 6, half way down, she found reference to her response to Mr. Swetnam’s inquiry about the possibility of addressing the issue of “malingering” during the 2019 Legislative Session. The Board reviewed the amended response and Dr. Reichlin moved to accept the change and Mr. Swetnam seconded the response. The Board voted and it was unanimous.

Dr. Bort provided the following Executive Director Updates:

- Forensic Conference – The conference is scheduled for two full days, April 10 and 11, at the Chemeketa EOLA campus in Salem. Day 1 will include a casual Q&A

for Board members, following discussion, all Board members with the exception of Mr. Swetnam, will attend and participate on this panel.

- Adult Panel – Psychologist Position – The new Board member, Pam Buchanan, Psy.D., has been selected to replace Dr. Balduzzi as of July 1st. Dr. Buchanan will be confirmed on this date (3/20/2019) by the Senate. Dr. Bort noted she will send out an email confirmation once it is official.
 - Legislative Sessions Update:
 - PSRB Workgroup – Dr. Bort had sent a letter to Senator Floyd Prozanski and he has approved the PSRB workgroup which will help with the Board’s strategic planning.
 - Ways & Means – Dr. Bort reported that during her recent testimony, the Ways and Means committee asked a lot of questions about what the Board does, and gave good feedback about the recent media exposure and the Board’s responses. Link to her testimony: http://oregon.granicus.com/MediaPlayer.php?clip_id=26156
 - Bill Status – Dr. Bort noted that there is currently a Bill being considered that includes the release of medical records: Senate Bill 373. Dr. Bort submitted written testimony to the legislature explaining the fiscal and resource impact that the current analysis poses for the agency.

Discussion moved on to the nomination of a new Adult Panel chairperson. Mr. Swetnam nominated Dr. Reichlin. Ms. Nichol inquired about the duties/role of the chairperson. Dr. Balduzzi noted that the chairperson’s duties include:

- Recruitment process for Executive Director position.

- 360 evaluation of the Executive Director.
- Review/discussion of Performance Measures.
- Executive Director includes the chairperson in discussions around smaller topics such as instant appraisal during an incident involving a client and any media attention.
- Has attended budget hearings in the past.

Ms. Nichol and Dr. Balduzzi seconded Mr. Swetnam's nomination of Dr. Reichlin. Following a unanimous vote, Dr. Reichlin is the newly appointed chairperson. The question then arose as to the length of term for the position. After a quick look at the statutes and OARs, it appears to be for one year. The same person can be nominated and declared chairperson for consecutive years, but this process should occur yearly. Nomination of the Chair will be put on the Board Meeting agenda each spring.

Dr. Bort then moved on to the topic of PMHNP's providing testimony at both inpatient and outpatient hearings instead of a treating psychiatrist. She noted that the Board has temporarily approved of this credential testifying previously, but a final decision has not been made. Dr. Bort further indicated that community providers have asked if a Physician's Assistant (PA) could also be considered for testimony. Ms. Nichol noted that a PA has to be supervised, like a paralegal, but a PMHNP's testimony can stand alone. Discussion continued and ultimately the decision was made that the preference is for the testifier to be a psychiatrist, psychologist or PMHNP. This relates to the independent evaluators as well. Dr. Bort moved that guidelines and training will be developed and Ms. Nichol seconded the motion. The vote was unanimous.

The next topic was regarding Strategic Planning and what steps are next. Dr. Bort noted that she and Mr. Moore are continuing to collect feedback and they are scheduled to meet with the consultant on March 25th.

Dr. Bort moved on with a discussion around the next joint panel meeting scheduled for June 4th. This will be an all-day training/conference that will end with the administrative meeting. The location is still being determined, but it will be held somewhere other than the PSRB office. Currently members can expect training around services available in the community; administrative law; and diagnosis/medications – 101. The new Board member will be joining both panels for the day. Dr. Bort urged members to send her any additional ideas for training topics.

Next was a report by Mr. Moore regarding Continuity of Operations, which is now on our website as the “Emergency Plan.” Mr. Moore recently reviewed the plan and one major change to be made is the secondary office location, in the event of a natural disaster resulting in the office being uninhabitable. Previously the secondary location was a staff person’s private residence. A new location has not yet been determined, but updating the plan is currently taking place. Mr. Moore further noted that the State of Oregon has adopted a new “look” for the agency websites, so expect some changes to that in the near future.

Dr. Balduzzi then asked Mr. Matarazzo if he would like to utilize his 5 minutes of public comment time since he arrived late. He inquired about the change made to the minutes around “malingering.” Dr. Balduzzi explained it was just a change for clarification of the language to the minutes from the meeting last September.

The meeting was adjourned to Executive Session at 9:30 a.m.