

Approved Meeting Minutes
PSRB Joint Panel Administrative Meeting
July 24, 2024

An administrative meeting of the Psychiatric Review Board Joint Panel was convened on Wednesday, July 24, 2024, at 9:00am via Microsoft Teams and teleconference. The meeting was recorded and posted on the Board's agency [website](#). The following provides a brief summary of the meeting minutes.

Board Members, PSRB staff and members of the public via Teams and phone were:

Adult Panel - Anne Nichol, J.D. (Chair, attorney member), Scott Reichlin, M.D. (psychiatrist member), Trisha Elmer, P.P.O. (probation member), and Julie Duke (public member), and Wilson Kenney (psychologist member.)

Juvenile Panel - Stewart Newman, M.D. (Chair, psychiatrist member) Cari Boyd, (public Member), Karey Casebier (probation member.)

PSRB Staff - Alison Bort, Executive Director, Katrina Tonsfeldt, Deputy Director, Maria McCormack, Hearings Officer, Priya Tripathi, ISS4, Laura O'Meara, ESS2.

Public Present – Micky Logan, OHA, Aaron James, DOJ, Elisabeth Waner, DOJ, Harris Matarazzo, J.D., Rhea Wolf, Cascadia.

Chair Nichol called the meeting to order and asked for public comment. There were none.

Chair Nichol moved on to reviewing previous meeting minutes. The minutes from the last two board meetings were unanimously approved.

Project updates:

Dr. Bort provided an update on the permanent rules and the EOJ jurisdiction memo for defense attorneys and the legal community. She sent the memo to OSH and received feedback from Mickey Logan and is seeking additional input from Mr. Matarazzo due to his concerns.

The key point is that the board revised its rules to ensure that credit for time served is only granted if the court order explicitly states it. If the court wants time served to be calculated, this must be specified in the order; otherwise, the board will not apply time served. Dr. Bort discussed previous feedback from Mr. Matarazzo but said he could speak on that during public comments.

Board members were invited to review the memo and provide feedback by a specified date. Dr. Bort also mentioned that the memo would be sent to key stakeholders, including the Oregon State Hospital and legal community, for further input.

Dr. Bort provided an update on the ongoing efforts to refine the definitions of dangerousness and Nexus. She discussed the implications of the 2023 Rinne case and the need for further clarification on these legal terms.

A workgroup is being formed to address these issues, with a focus on legal definitions, case law, and legislative history. Chair Nichol will be involved in the workgroup. The objective is to ensure that the board's application of these terms aligns with current legal standards and stakeholder expectations.

Dr. Bort presented an update on Civil Commitment rules. She outlined the need for updates to the rules governing civil commitments under ORS 426.701. With a growing number of individuals under this commitment type, there are several areas that require clarification, including examination standards, the recommitment process, and competency evaluations.

A Rules Advisory Committee (RAC) will be convened to address these issues. The RAC will consist of stakeholders and experts who will review and provide recommendations for rule revisions. Chair Nichol will attend the RAC sessions as an observer to better understand the issues and relay information to the rest of the board. The RAC will meet for three 90-minute sessions to discuss and propose updates to the rules. Dr. Bort will provide updates to the board as the committee makes progress.

Dr. Bort introduced a draft discharge dashboard designed to provide transparency regarding individuals under PSRB jurisdiction who have been granted conditional release readiness by the Oregon State Hospital's Forensic Risk Review Panel.

The dashboard clarifies the status of individuals who remain at the hospital after being granted release readiness, categorizing them based on whether they are pending evaluation, awaiting a hearing, or waiting for a community bed to become available. The dashboard also includes data on the timeliness of conditional release hearings and the outcomes of community evaluations.

The goal is to correct misconceptions about why individuals remain in the hospital and to provide clear, accessible information to the public and stakeholders.

Internal Staff Updates – Katrina Tonsfeldt, Deputy Director

At the end of May, the agency held a full-day employee retreat focused on customer service, the strategic plan, employee engagement, and team building. Chair Nichol attended part of the retreat, allowing staff to get to know her and their roles better. Feedback from the retreat highlighted a stronger sense of community and a clearer understanding of how each person's role contributes to the agency's mission.

An employee engagement survey, developed by Gallup and required for agencies with 75 or more employees, was conducted before the retreat. The survey used a 12-question, 5-point Likert scale to measure employee satisfaction. The agency's average score was 4.56, placing it in the 84th percentile statewide. The lowest scores were "I know what's expected of me at work" (4.6) and "At work, I have the opportunity to do what I do best every day" (4.4). The highest scores were "At work, my opinions seem to count" (4.67) and "My team members are committed to doing quality work" (4.8). The retreat included exercises to address areas for improvement based on the survey results.

Katrina Tonsfeldt then presented that the agency has been working on a new PSLRB logo for over a year, starting from last year's retreat. Priya Tripathi and Kelsey Taylor led the effort by creating initial mockups, which the staff reviewed and voted on. The plan is to gather more input from stakeholders and board members before hiring a professional designer to finalize the logo.

The logo consists of four quadrants representing the agency's values: due process (scales), research (data points), recovery (mountain with sun), and partnership (connected hands). At the center is a head with a brain, reflecting the mission of public safety and mental health treatment. The design also includes the agency's name and establishment date. Feedback is requested by the end of August, aiming to have the final version ready for board voting in October.

Internal Projects and Future Needs:

The agency is working on two major internal projects: transitioning to a paperless system and upgrading the case management system. The move to a paperless system is nearly complete, with inactive client files scanned and uploaded by a third-party contractor, and current files being digitized by a new part-time staff member, Genevieve Curry.

The second project involves upgrading the agency's legacy Microsoft case management system, which is outdated and server based. After years of research and a procurement process, a vendor has been nearly selected for the new platform, which will use Power Apps, including Power BI, to enhance functionality. The project will be divided into three phases: migrating data to the cloud for increased security, designing internal processes and workflows, and developing a web portal for stakeholders to streamline document submissions.

The team will continue to provide updates and training as the project progresses. Staff member Priya Tripathy is available for more detailed information about the new system.

Dr. Bort reported that they have ordered new computers for the Adult Board members. Priya gave an update on type and delivery. Dr. Bort asked all Board members to provide their Yubi key numbers.

Recruitment:

Chair Nichol and Dr. Bort have been working on a new recruitment policy for board members, as there will be significant turnover in the next year or so. There has been no policy for recruiting board members that could ensure consistency and equity, so they have developed a draft policy for the board to review.

The recruitment process differs from hiring internal staff because the Governor's office manages appointments, which includes Senate confirmation hearings. The policy draft is included in the board packet for review. This new process involves reviewing all applications, reaching out to highly qualified candidates for an informational interview, and requiring them to observe hearings and speak with the current board member they would replace. It also involves getting three letters of support, preferably from supervisors. The recommendation would then go to the board chair and, if all agree, to the Governor's office. The Governor has the authority to appoint anyone and bypass this process.

There is a strong candidate for the probation position to take Ms. Elmer's spot and likely a Senate confirmation hearing in September. The Board is actively recruiting for a psychiatrist and attorney member position for the adult panel, and those openings are posted on our website.

Next Dr. Bort turned to the topic of the budget.

Budget Planning for 2025-27:

Legislative Concepts:

The proposed legislative concepts, which include agency reorganization, confidentiality statutes, and quasi-judicial immunity, have been accepted. These concepts involve reorganizing into a unified panel,

establishing confidentiality for conditional releases to the Department of Corrections, and granting quasi-judicial immunity to protect board members in a manner similar to judges.

Case Management Database:

Funds are requested to complete the case management system upgrade, with some funding already allocated from vacancy savings.

Best Practice Memo:

A memo is being developed to help the board evaluate key performance measures. Board members will receive a survey to provide feedback, with a draft budget expected by the end of August.

Customer Service Survey Project:

Participation in the 2024 Leadership Oregon cohort has led to a project aimed at improving customer service feedback mechanisms. Current surveys have small sample sizes and may not adequately capture client feedback. The project seeks to develop a more meaningful way to collect feedback from clients.

Gun Relief Hearings:

Two petitions for gun relief are pending, and the last gun relief hearing was held about a year ago. Board members are advised to review the rules and procedures for these hearings to ensure they are well-prepared. Chair Nichol and other designated members will likely lead these hearings.

Upcoming Meetings and Retreat:

A board retreat is scheduled for October 30th, focusing on agency reorganization and specific tasks for the adult panel. The day will include training and strategic planning. Additionally, an extra board meeting has been scheduled for December 11th from 9:00 to 10:30 AM to address ongoing business and rule changes.

Public Comments:

Raya Wolf suggested providing support and assistance for people completing surveys at a later time, as immediate post-hearing surveys might not capture the full experience.

Harris Matarazzo raised several points. The issue of credit for time served should be explored further to ensure that it is handled appropriately. There are concerns about recent rule changes related to nexus and jurisdiction, emphasizing the importance of maintaining the original intent of these rules. Procedural matters regarding board member selection were also discussed, with a call for a process that is independent of staff decisions. Additionally, the impact of remote board hearings on customer feedback and survey participation was noted, suggesting that remote interactions might discourage meaningful feedback from participants.

The meeting adjourned at 10:36 am.

