

## **Approved PSRB Joint Panel Administrative Meeting Minutes Psychiatric Security Review Board February 12, 2025**

An administrative meeting of the Psychiatric Review Board Joint Panel was convened on Wednesday, February 12, 2025, at 10:01 am via Microsoft Teams and teleconference. An agenda for the meeting can be found [here](#). 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), Julie Duke (public member), Wilson Kenney (psychologist member) and Khara Kerns (probation member starting March 1, 2025).

Juvenile Panel – Stewart Newman, M.D. (Chair, psychiatrist member) and Marisha Childs, J.D. (attorney member.) – Not present: Karey Casebier (probation member) and Cari Boyd (public member.)

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

Public Present – Megan Harper, OHA, Scott Manning, OHA, Jason Trombley, DAS, Christa Jones, OHA, Aaron James, DOJ

Chair Anne Nichol called the meeting to order at 10:01am. There was quorum and all board members were present. Chair Nichol called for public comments and there were none. Dr. Bort introduced Khara Kerns, who will be replacing Trish Elmer for February hearings. Trish expressed gratitude for working with the board, and Khara shared her excitement about joining.

Dr. Bort corrected an agenda item, clarifying that the 12.11.24 meeting minutes were not up for approval since the meeting was canceled. The Board approved the 10.30.24 minutes.

Dr. Bort explained that the board held an executive session with their counsel before the board meeting to discuss the postponed Danger and Nexus work group. It was initially planned for December but delayed due to ongoing rulemaking regarding civil commitment for extremely dangerous persons with qualifying mental conditions. Progress has been made on adopting a temporary rule around the connections between qualifying mental disorder and dangerousness with respect to retaining jurisdiction but additional time is needed to refine the language.

A special public meeting is planned for March—outside of the usual quarterly schedule—to introduce a temporary rule regarding danger and nexus and to begin the permanent rulemaking process with a Rule Advisory Committee.

Chair Nichol emphasized the complexity of integrating case law and statutory requirements into the rule. She acknowledged the board's commitment to ensuring the rule aligns with the entire legal framework and the board's commitment to getting it right.

The board's rulemaking on civil commitment rules under ORS 426.701 for extremely dangerous persons with qualifying mental disorders is temporarily paused. This is due to participation in a workgroup led by Representative Jason Kropf, which focuses on Aid and Assist and civil commitments. The statute governing this population is relatively new and complex, with only about 45 individuals currently under its jurisdiction—double the number from just a few years ago. The board aims to gather more information before resuming the rulemaking process.

Updates were provided on the budget, which has gone through review and was approved by the Governor. There was an issue with the requested funds for the case management system. It was approved but faces cybersecurity challenges and requires alternative solutions so these funds will be set aside for now. Dr. Bort will present to the Ways and Means Committee on February 27, 2025.

Katrina Elison introduced the Best Practices Survey, which is one of the annual Key Performance Measures that is reported to the legislature. Board members were asked to review the survey and respond by the end of the week.

Dr. Bort then outlined proposed legislation, including four House Bills she presented to the legislature that are related to board restructuring and centralization. Some opposition was noted regarding retaining specialization in juvenile matters. A possible solution discussed was adding statutory training requirements. Dr. Kenney and Anne Nichol supported cross-training, stating that although many members already have relevant experience it could be enriching. Dr. Bort agreed that a training requirement could help, along with considering relevant experience during recruitment.

A proposal to add an extra board member was discussed but was seen as an unnecessary administrative burden without clear benefits. There were also concerns about ensuring a balanced mix of expertise, particularly since most clients are adults. A possible alternative discussed was retaining a juvenile expert as a subcontractor rather than a full board member.

Chair Nichol noted that Disability Rights Oregon (DRO) had concerns about the board's knowledge of youth cases and agreed that it makes sense to retain a single juvenile expert. Dr. Newman added that psychiatrists already receive cross-training in youth matters so there is some experience there. Dr. Bort asked if the board should require a juvenile expert board member. Chair Nichol and Dr. Kenney opposed this, citing concerns over effectiveness and logistics.

Due to time constraints, Dr. Bort and the Board agreed to continue discussions and the remaining agenda items to the March meeting and moved to public comments. Harris Matarazzo expressed

interest in the RAC on the Nexus issue, and Dr. Bort assured him that he would be included when discussions resume.

The meeting was adjourned at 10:34 AM.