

MINUTES
Psychiatric Security Review Board
Administrative Meeting
Adult Panel
July 19, 2012
Approved February 19, 2013

An administrative meeting was convened on July 19, 2012 at 6:10 p.m. in the fourth floor conference room of 620 S.W. 5th Avenue, Portland, OR 97204. Board members present were Elena Balduzzi, Psy.D., Bennett Garner, M.D., Kate Lieber, J.D., Barry Kast and Jenna Morrison, P.P.O. Also present were the PSRB's Executive Director, Mary Claire Buckley, J.D. and secretary, Jane Bigler as minute taker.

The meeting was called to order by Kate Lieber, Chair. She began with a review of the minutes from the Board's April 10, 2012 meeting. Mr. Kast asked that the specifics regarding his travel plans be removed. Ms. Morrison moved to accept the minutes with the deletion. Dr. Balduzzi seconded the motion and it passed unanimously.

Ms. Buckley then addressed the second agenda item, the 2013-15 Budget Process. She began with a report on the initial meeting of the "Public Safety" funding team. She reminded the Board that the PSRB had been placed under the "Public Safety" sector but that Addictions and Mental Health as well as the Oregon Health Authority as a whole are in the "Healthy People" category. The members of the "Public Safety" funding team are former Gresham Chief of Police Carla Piluso; Johnell Bell from Tri-met; Cyreena Boston from a non-profit agency; Tim McLain; and Hilary Saraceno. At the outset, the Governor is to allot a certain amount of his total 2013-15 budget to each team. The process includes a presentation by and discussion with the agency regarding its mission, performance outcomes and how it fits in the Governor's 10 year plan. After completing the interviews of all agencies in the "Public Safety" group, the team is to rank all of them in order of priority based on the Governor's plan. In addition, the team will recommend how much of the total budget allotted to the team should be directed

to each program. Ms. Buckley has prepared the PSRB's 4-page required document that shows how our agency fits within the Governor's 10-year plan. It is possible that in September, Ms. Buckley will go back to the "Public Safety" team to discuss the Board's budget, if requested or deemed necessary.

This segued into the second portion of this agenda item regarding the Legislative Fiscal Office's requirements for the 2013-15 budget. In addition to the above mentioned 4-page report, the Board must create the usual narrative Agency-Requested Budget in binders as has historically been done. This document is due on August 31st. Ms. Buckley noted that due to the restrictions on the dollar figure agencies can request, which is current service level plus \$20,000 or 1%, the Board will already be \$90,000 over budget because of the Gun Relief Unit. This means that the Board will not be able to submit the Policy Option Package for an increased stipend that the Board discussed at the administrative meeting in April. Ms. Buckley further indicated that she has spoken with Mickey Logan, J.D. of the OSH's Legal Affairs Department to inquire if the State Hospital Review Panel (SHRP) would join in the endeavor for a stipend increase. Ms. Logan noted that SHRP would not be asking for a stipend increase at this time. With regard to staffing, Ms. Buckley informed the Board that there is still one F.T.E position that has not been filled in anticipation of reduction options being implemented. Discussion followed regarding the tactical move of giving up the position now or waiting until the Legislative Session.

Ms. Buckley then moved to the third agenda topic, a discussion regarding the policy of required testimony of OSH physicians at all hearings. Ms. Buckley, Ms. Lieber and Dr. Balduzzi all shared various historical information regarding this issue. Ms. Buckley noted that the Board had made a policy decision a few years ago that a doctor must testify at hearings. This has become an issue recently because the hospital has been hiring more nurse practitioners. Dr. Garner raised a concern that the doctor isn't always the one with the most knowledge regarding the client. Other Board members concurred, but noted that it must be a doctor to testify as to the "reasonable medical probability"

standard required by law. They further reminded Dr. Garner that the Board has the right to call witnesses on its own motion if members feel they need additional information from other staff. Ultimately, the Board indicated it would continue the policy of requiring a doctor to testify. This does not preclude testimony of others. Further, members were encouraged to request additional testimony from others if not called by counsel.

Next, Ms. Buckley gave an update on Board membership and scheduling for the Fall. She reminded the members that Mr. Kast submitted his resignation effective June 30th but that he had agreed to continue to sit at hearings until the end of September. Ms. Buckley has met with Kendall Clausen, the Governor's appointments person and she assured Ms. Buckley that she will have an appointee by September. In addition, Ms. Morrison will be going on maternity leave sometime in September. If the Board does not have a new member appointed by then, it will cause a serious hardship as there will only be three total members left who will have to sit weekly or hearings cannot be held. Ms. Buckley suggested that the demand for hearings may be reduced in the future as the Board is almost caught up on overdue 5-year hearings. Statistics show that between September 1st and January 1st, there are only eight 5-year and seven 2-year hearings due and staff anticipate about eight patient requests per month. Ms. Buckley noted that this may mean there will be fewer hearing days per month.

Finally, the Board moved on to "Other items":

- a) Staffing – Ms. Buckley informed the Board that Quisha Light had turned in her resignation today so she will be advertising for that paralegal position as soon as possible.
- b) Potential Office Move – Office space has been located on the 4th floor of the Selling building above Moonstruck Chocolates on Alder Street between 6th Avenue and Broadway, and negotiations are underway. The original plan to move to the larger space and quieter side of the building next to the current office did not work out as

the landlord demanded too much in rent. As it turns out, the new space is less expensive than here and they will “build to fit.” Ms. Buckley explained that DAS Leasing Department has found that the “noise clause” is still in the current lease so that is what will serve as the basis for early termination of the current lease. The sounds from the street are an even greater problem now with a larger staff as it bothers more of the employees. Shelley wears earplugs throughout the day. Ms. Buckley estimates a move in October at the earliest.

The meeting was adjourned to Executive session at 7:15 p.m.