

MINUTES
Psychiatric Security Review Board
Administrative Meeting
Adult Panel
March 4, 2014
Approved June 3, 2014

An administrative meeting was convened on March 4, 2014 at 6:30 p.m. in the fourth floor conference room of the Psychiatric Security Review Board offices, 610 S.W. Alder Street, Suite 420, Portland, Oregon. Adult Panel Board members present were Kate Lieber, J.D., Elena Balduzzi, Psy.D., Jenna Morrison, P.P.O., Bennett Garner, M.D. and Judy Uherbelau, J.D. Juliet Follansbee, Executive Director, Lucy Heil, Program Manager, and Jane Bigler, Secretary, were also present. Jane Bigler was note taker. Also attending in person was Ronelle Shankle, DOJ Crime Victim Services Department.

The meeting was called to order by Kate Lieber, Chairperson of the Adult Panel. The first item for consideration was a review of the Adult Panel Administrative Meeting minutes from the joint panel meeting held on December 2, 2013. Ms. Uherbelau noted a minor typographical error within the notes. There was a motion by Chair Lieber to accept the minutes with one correction on page 9. The motion was seconded by Ms. Morrison. The motion was carried by vote with no one opposed.

Chair Lieber then opened a discussion time for public comment and there was none.

Next, the agenda called for a discussion around minimum requirements, M.D. vs. PMHNP's for Secure Residential Treatment Facilities (SRTF). Ms. Follansbee gave a quick historical overview and noted that as a result of previous Board discussions, the Board had opted for an M.D. to testify at hearings in which discharge is requested. She further noted that this topic is up for discussion again due to recent correspondence from Deschutes Recovery Center stating that they are experiencing difficulty hiring an M.D. to treat their

clients. Deschutes Recovery Center is proposing that they be allowed to on a trial basis to utilize a PMHNP in lieu of a psychiatrist. From their point of view, a PMHNP would know the client better as they work closer with the clients on a more regular basis and can collaborate more with the other staff who works with the clients daily, whereas an M.D. only sees clients periodically as ordered by the Board. It was also noted that only a PMHNP serves the civil patients who reside at Deschutes Recovery Center. During this discussion it was also mentioned that historically PMHNP's have not been willing to testify regarding the issue of dangerousness for it to be a "reasonable medical certainty." Ms. Morrison noted that if a PMHNP isn't willing to testify regarding dangerousness, then it wouldn't assist with hearings to have a PMHNP testify rather than an M.D. Dr. Garner opined that there isn't as much quality control in Oregon regarding licensing of PMHNP's receive less training and education than a psychiatrist. However, he noted he has practiced with very competent PMHNP's during his career. Discussion moved to the possibility of these providers using telemedicine, maybe even use the doctors from OSH so there is a continuity of care. Dr. Balduzzi questioned if the civil side allows teleconferencing, if so, who is doing this currently and what is their process. She further suggested that the Board explore additional options and revisit this topic at the next meeting in June. Ms. Uherbelau requested that Ms. Follansbee talk with other SRTF's and get their feedback on this topic. Dr. Balduzzi further noted that whoever testifies needs to understand the Board's process and isn't quick to change medications without collaborating with the treatment team and understand the client's history of medications. Chair Lieber asked that Ms. Follansbee look for additional information from civil commit facilities regarding their testimony process, as well as talk to licensing and other SRTF's. Ms. Follansbee noted that she will also reach out to OHSU for their input.

Chair Lieber then asked Ms. Follansbee to open the discussion regarding the last topic on the agenda, a review and possible adoption of PSRB Civil Commitment (SB 421) permanent rules. Ms. Follansbee noted that the first civil commitment hearing is docketed for April 2, 2014. Ms. Follansbee reminded Board members that the District Attorney for the county that civilly committed the person will be representing the State at these hearings as opposed to an Assistant Attorney General. She then asked Ms. Heil for a quick overview of the rules process up to this point. Ms. Heil summarized the rulemaking process then noted that the Board received no written or oral comments during the comment period. Chair Lieber moved to accept the rules as proposed and Ms. Morrison seconded the motion. The motion was carried by vote with no opposition and no abstentions and there was no further discussion.

The meeting was adjourned at 7:30 p.m.