

MINUTES  
Psychiatric Security Review Board  
Joint Administrative Meeting  
Adult and Juvenile Panels  
June 3, 2014  
*Approved December 2, 2014*

An administrative meeting was convened on June 3, 2014 at 6:15 p.m. in the fourth floor conference room of the Psychiatric Security Review Board offices, 610 S.W. Alder, Suite 420, Portland, Oregon. Adult Panel Board members present were Elena Balduzzi, Psy.D., Kate Lieber, J.D., Jenna Morrison, P.P.O., Bennett Garner, M.D. and Judy Uherbelau, J.D. Juvenile Panel Board members present were Shelly Casteel, Eric Johnson, Ph.D. and Charmaine Roberts, J.C.C. Absent was Juvenile Panel member Susana Alba, J.D. PSRB staff present were Executive Director, Juliet Follansbee, J.D., Lucy Heil, Program Manager and Executive Secretary, Jane Bigler, as note taker. The guest speaker at the meeting was Russ Casler of the Oregon Governor's Ethics Commission. Also attending was Ronelle Shankle from the Crime Victim Services Division of the Department of Justice.

The meeting was called to order by Kate Lieber, Adult Panel Chair. Chair Lieber introduced the newly appointed Juvenile Panel Public Member, Shelly Casteel.

Pursuant to the agenda item 1a, Chair Lieber requested a motion from one of the adult panel member to approve the meeting minutes from an Adult Panel meeting only meeting held on March 4, 2014. Chair Lieber moved that the minutes be accepted as written and Ms. Morrison seconded. The motion was carried by vote with no one opposed and no abstentions.

Next, agenda 1b, Chair Lieber requested a motion from one of the juvenile panel members to approve the joint panel minutes from November 12, 2013. Ms. Roberts moved

to accept the minutes as written; Dr. Johnson seconded. The motion was carried by vote with no one opposed and no abstentions.

Ms. Follansbee then introduced Russ Casler of the Oregon Governor's Ethics Commission. Ms. Follansbee gave an overview of the purpose of the ethics training. Mr. Casler then proceeded with the presentation.

The group then moved to the Executive Director's report. Ms. Follansbee informed Board members that she was actively recruiting new members for the Juvenile Panel considering Dr. McKelvey has resigned and Dr. Johnson and Ms. Roberts' terms end in January.

Ms. Follansbee noted that she has started to build the budget for the 2015-17 biennium. Mr. Johnson asked about funds for the Gun Relief Unit. Ms. Follansbee explained what the Federal Grant funds are still covering and that these funds will be ending in September.

Next, Ms. Follansbee discussed new issues arising due to Coordinated Care Organizations (CCO's). She stated that funding for licensed facilities should continue to be covered, but non-licensed facilities will be harder to get funded. Also noteworthy is that client supervision conditions will not always be covered by the CCO's and may require general funds.

Ms. Follansbee and Ms. Heil have begun to work on statutes and administrative rules for the following: the new hospital in Junction City; video conferencing for hearings, mainly regarding if a client has a right to have an 'in-person' hearing; sex offender rules; and a media rule, for which Ms. Follansbee is proposing that the Board use the current court rules.

Lastly, Ms. Follansbee informed members that she will be sending out a survey to stakeholders for use with the budget.

Chair Lieber then moved to the fourth agenda item, election of Adult and Juvenile Panel Chairperson/Chairpersons. Beginning with the Juvenile Panel, Dr. Johnson has been the chair for the last few years. Due to the upcoming end to a number of the Juvenile Panel members terms, Ms. Casteel has agreed to be the new chair. Ms. Robertson inquired if anyone has talked with Ms. Alba about her feelings on the matter. Ms. Follansbee stated that, with confidence, she has seen no indication that Ms. Alba is requesting to be the chairperson. Ms. Robertson also noted she thought the chairperson had to chair hearings, but Ms. Follansbee informed her that isn't the case, any of the members can chair a hearing. Dr. Johnson moved to elect Ms. Casteel as the new chairperson; Ms. Roberts seconded. The motion was carried by vote with no one opposed and no abstentions.

Discussion then moved to nominations for the Adult Panel chairperson. Ms. Lieber stated that she had held the position for the last 4-5 years. Ms. Morrison and Dr. Garner expressed an interest in co-chairing. Ms. Lieber asked Ms. Follansbee if she knew of any laws that would prohibit this and Ms. Follansbee stated she did not believe there is. Ms. Lieber further noted she would recommend that it be clear which co-chair will take on the lead role and if the Board were to face a crisis, she would recommend it only be one person as well. Ms. Lieber moved to elect Ms. Morrison and Dr. Garner as co-chairpersons; Dr. Balduzzi seconded. The motion was carried by vote with no one opposed and no abstentions.

The fifth agenda item is for a joint Board discussion regarding the conditional release of juvenile and adult clients who reside at Oregon State Hospital. Ms. Follansbee noted that four youth have been conditionally released from OSH in recent months and 7 others remain. The expectation is that juvenile clients move quickly through OSH onto conditional release.

Ms. Roberts stated that OSH is not used to providing services to patients of this age. Dr. Johnson noted his concern with OSH holding adolescents to the same standard as adult patients. Ms. Follansbee noted that she has met with the treatment teams and discussed these concerns. Another issue to point out is that approximately 60% of these youth have a developmental disability designation. Ms. Morrison opined that it's appropriate to have separate standards and expectations between adult and juvenile clients. Dr. Garner indicated that consistency doesn't matter as there are many differences in the needs, etc. for the JPSRB clients versus the adults. Ms. Lieber also agreed that there should be a push to conditionally release the youth. Ms. Roberts further expressed her concern around diagnoses that change once the juvenile clients become adults and some who no longer qualify for jurisdiction. Ms. Follansbee also reminded the panels that youth are only under the Board until the age of 25, so there is less time to transition to the community.

Ms. Follansbee noted that she had attended a meeting at OHSU which included numerous stakeholders. At this meeting she provided attendees with an overview of the PSRB process, current statistics, as well as a question and answer session. During the question and answer session, a current patient at OSH raised concern about the Board's current mission statement. Ms. Follansbee informed the Board members that the mission statement had not been updated other than to add new duties in many years. She then presented the Board with a proposed new mission statement. Ms. Morrison moved to accept the new mission statement as written; Dr. Johnson seconded. The motion was carried by vote with no one opposed and no abstentions.

At 8:00 p.m., the panels moved to Executive Session to discuss advice received from general counsel regarding the process to conduct a performance review of the Board's Executive Director.

At 8:05 p.m., the panels reconvened and the Juvenile Panel members were adjourned.

The Adult Panel then proceeded with a follow-up discussion regarding PNP's vs. M.D.'s testifying at hearings. Ms. Morrison noted her opinion that PNP's seem to be reluctant to indicate "medical probability" whereas M.D.'s are not. Dr. Garner opined that the doctor's at OSH become more familiar with their clients than the doctors in the community. Ms. Follansbee noted that she has been informed that the OHSU Fellows would like more community experience and may be willing to do community rotations. The members indicated that this is an interesting prospect. Ms. Follansbee will do further inquiry into this matter.

Ms. Follansbee gave a legislative update regarding the Board of Post-Prison Supervision and the need for a legislative fix. She would like to support the Board of Parole and Post-Prison Supervision's proposal to allow PSRB staff to conduct the risk assessment tool used to designate PSRB sex offenders. The members gave no objection.

At 8:20 p.m., Ms. Lieber moved to an Executive Session to discuss the ORS for Early Discharge of Adult Panel clients.

The meeting was then adjourned at 8:50 p.m.