

CAHOOTS PROVIDES IMMEDIATE ASSISTANCE  
BUT CANNOT HOLD MENTALLY ILL CLIENTS



# NEWS

## SEVERELY MENTALLY ILL NOT GETTING MORE HELP UNDER NEW LAW

Crisis workers in Eugene say they are still seeing repeat cases of severely mentally ill people being discharged back to the community by the jail and PeaceHealth Sacred Heart Medical Center University District's emergency room, despite a 2015 Oregon bill that changed the language describing how people can be committed to a state mental institution.

That's because House Bill 3347 didn't really usher in any new legislation, according to Andrea Williams, one of two civil commitment investigators for Lane County Behavioral Health Services.

"In my experience, it's not really going to change anything for us as far as how we process holds that come through the hospital. That provision has always been there. They've just changed the language of it," Williams says.

She adds that she has not seen a rise in commitment cases as a result of the bill.

HB 3347, sponsored by Rep. Val Hoyle (D-Eugene), changed the state statute criteria for how individuals can be forcibly committed to a state mental institution through civil commitment. Under the previous law, individuals with a severe mental illness, physically unable to care for themselves, had to be in immediate danger of suicide to be forcibly committed.

The new statute says an individual can be committed if at risk of serious physical injury or death *in the near future*, resulting from an inability to meet their basic needs.

"We thought it [HB 3347] would help out and impact some of the clients we serve. Some of those folks aren't necessarily suicidal or homicidal, but are having such significant mental health problems they are walking around underdressed for the weather, walking their feet down to the bone, generating police calls in the community because they can't take care of themselves or get food for themselves," says Ben Brubaker, volunteer coordinator at White Bird Clinic.

However, the bill only changed the language for a civil commitment by a county mental health investigator, and

does not apply to the separate, more short-term "psychiatric holds," which Sacred Heart emergency doctors can use on a patient.

Williams said only 3 to 5 percent of people with psychiatric holds at Sacred Heart are recommended for a civil commitment to a state institution.

When it comes to HB 3347, the problem of homeless clients cycling in and out of the Sacred Heart emergency room with severe mental health issues doesn't really apply. But it does raise the question of why doctors at the Sacred Heart Emergency Room don't exercise more psychiatric holds on severely mentally ill patients going through a psychotic break.

*'If screaming, moaning and yelling at passersby is the only coping skill they have on a regular basis, that individual isn't able to get their basic needs met.'*

— BEN BRUBAKER, WHITE BIRD CLINIC

Last week, Brubaker says, a man with schizophrenia was screaming, "I'll kill you!" at passersby as he walked through downtown Eugene, generating multiple calls to 911 from the community. On arriving, officers couldn't do much to intervene because the individual "clearly had limited mobility" and would never be able to act on his threats, Brubaker says.

"If screaming, moaning and yelling at passersby is the only coping skill they have on a regular basis, that individual isn't able to get their basic needs met," Brubaker says. "That individual could be picked up by CAHOOTS [Crisis Assistance Helping Out On The Streets] taken to the ER, but if they test positive for meth or other substances,

or if the hospital decides they are too difficult to get an assessment of, they will oftentimes be discharged."

Substance abuse, particularly of methamphetamines, is often a reason for mentally ill people to be discharged without a psychiatric hold, as it is difficult for physicians to tell if the drugs or mental illness are causing an inability to care for themselves.

This is why Hoyle and Brubaker say they believe the county needs an easier access mid-level psychiatric care unit for Lane County to help fill in the gaps. The new Oregon State Hospital in Junction City only takes forcibly committed patients at the approval of a Lane County Circuit Court judge and the approval of a mental health investigator, such as Williams.

Lane County has recently opened Hourglass Community Crisis Center, which provides short-term mental health crisis assessment and stabilization.

PeaceHealth said in a prepared statement to *EW*: "While many homeless people are mentally ill — not all of them are. There are a host of other factors, such as substance abuse, financial instability and other issues. The solution must be commensurately comprehensive and multi-faceted."

Hoyle tells *EW* that she met with PeaceHealth representatives in Eugene last week to discuss this very issue.

"I went to talk with people at PeaceHealth yesterday. They're frustrated they get people coming in and out of the ER and they are like, 'What can we do? We don't want to let people back out into the street but feel like our options are limited as well.' I personally see both sides," Hoyle says.

Hoyle proposed HB 3347 in the Oregon Legislature last year after struggling to help Lane County crisis workers take Susan Hughes, a starving woman living in a rat-infested tent, to the state mental hospital. At the time, a Lane County mental health investigator would not commit Hughes because she was not in immediate risk of dying. Lane County's interpretation of the state statute on civil commitments tends to be defined more narrowly than Marion or Multnomah counties, Hoyle says.

"If she had been in Multnomah or Marion County, she would have been committed," she adds.

Hoyle says the bill was intended to be used in only the most extreme circumstances, and is not intended to take away a person's civil liberties. — *Jeslyn Lemke*