

Hospital won't be held in contempt for wait times

Disability Rights Oregon plans to continue fighting for Oregonians

By SAM STITES
Oregon Capital Bureau

SALEM — After several months of noncompliance, wait times for patients being admitted to the Oregon State Hospital are back in compliance with a 2002 rule requiring the facility to take just seven days to admit patients who have been ordered there.

That's according to a federal judge in Portland, who released an opinion Tuesday throwing out a legal challenge by Disability Rights Oregon, an advocacy group suing to hold the facility accountable for violating people's rights by keeping them jailed while awaiting court-ordered treatment.

U.S. District Court Chief Judge Michael Mosman affirmed a Sept. 12 denial of Disability Rights Oregon's motion to hold the hospital in contempt. Mosman also denied the group's request for legal expenses.

Disability Rights Oregon Legal Director Emily Cooper said the hospital fell out of compliance with the 2002 rule a year ago. The



EO Media Group Photo

A federal judge released an opinion Tuesday denying a Disability Rights Oregon's motion to hold Oregon State Hospital in contempt for violating wait times to admit patients.

group met with hospital officials until April, when it decided to take legal action. The group wanted the hospital held in contempt for not complying with the rule. It also wanted the court to track how long it took patients to be admitted.

"We had no other option and were forced to go to court to get them to bring wait times down," Cooper said. "While the order denies our motion, we're so pleased that the hospital was able to reduce wait times because that's ultimately what we wanted."

According to records obtained by *The Oregonian*, between January and October of 2018 more than 200 patients were forced to wait longer than the seven days allotted by the rule. Some

had to wait as many as 36 or 42 days. Records found that dozens of longer wait time cases were due to factors outside the hospital's control, such as late-filed court orders and sheriff's departments transporting patients only on certain week days.

Hospital spokeswoman Rebeka Gipson-King said the issue was caused by an influx of aid-and-assist patients — those sent to the facility to recover so they can be competent to stand trial — which staff could not have foreseen and weren't equipped to handle.

In June, Oregon Health Authority Director Patrick Allen told Gov. Kate Brown about measures the hospital was taking to remedy the problem, including setting priorities for aid-and-

assist admissions, as well as reducing the length of stay for patients to make room for new admissions and increasing community services for those who do not need hospital-level care.

Allen said he's proud of the work the hospital has done for the past five months to bring the facility back in compliance.

"The judge's decision affirms all the hard work that's gone into addressing the hospitals' capacity challenges, however, there's still more work to be done to combat the criminalization of people who are homeless and mentally ill," Allen said.

"We look forward to continuing our partnerships with counties and local courts to ensure every person in Oregon who needs mental health care has timely access to treatment in their own community or, when necessary, at the state hospital."

According to Cooper, Disability Rights Oregon isn't taking the ruling as a defeat. She said the group was committed to making sure Oregonians have timely access to mental health care by continuing work on Senate Bill 937, which sent \$10.7 million to community mental health programs where people who don't need hospital-level care can be treated under aid-and-assist.

AG won't defend secretary of state over ballot measures

Associated Press

SALEM — Oregon Attorney General Ellen Rosenblum is refusing to defend Secretary of State Bev Clarno in litigation over Clarno's rejection of three proposed ballot initiatives to tighten state forestry laws.

The Oregonian/OregonLive reported that Rosenblum also challenged Clarno's legal basis for tossing the proposals, which Clarno said violated a state requirement that legislative measures stick to one subject. The rule applies equally to voter initiatives and bills in the Legislature.

Rosenblum, a Democrat, said she couldn't represent Clarno, a Republican, because the Oregon Legislature is also a client and she didn't want to make arguments that would impede its work. She said she authorized Clarno to find another lawyer due to the conflicting interests.

"There is no question that, under current law, the legislature could pass a measure such as this one and it would be in full compliance with the 'single subject' requirement," Rosenblum told the newspaper in a statement. "I do not believe there is any compelling reason to argue for a change in the current law."

Clarno's deputy, Rich Vial, declined to answer questions.

Clarno, a Republican who has taken \$36,000 in donations from timber interests in her career, is not backing down in a suit brought by environmental advocates trying to ensure their original petitions advance.

She will instead be represented by Schwabe Williamson Wyatt, a Portland law firm that advertises itself as "one of the nation's top timber law practices." The firm says on its website it is "involved" with the Oregon Forest & Industries Council, one of the leading opponents to the ballot measures.

Clarno on Sept. 24 rejected Initiative Petitions 35, 36 and 37. The measures are substantially the same, calling for tightening the state's aerial herbicide spraying laws. They propose more logging restrictions in steep, landslide-prone areas. They would prohibit conflicts of interest for state forestry board appointees.

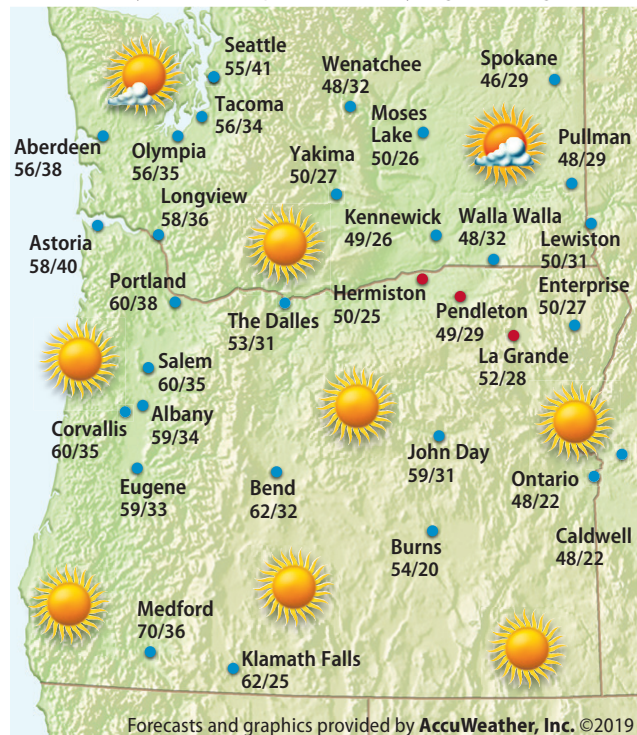
Clarno rejected the initiatives proposed by environmental advocates, including the group Oregon Wild, saying each of the proposals covered more than one subject. The Oregon constitution says a ballot initiative can only address a single policy topic.

Forecast for Pendleton Area

TODAY	SUNDAY	MONDAY	TUESDAY	WEDNESDAY
Sunshine, but chilly	Partly sunny	Sunshine and patchy clouds	Sunshine mixing with some clouds	Times of clouds and sun
49° 29°	53° 32°	55° 33°	56° 30°	50° 31°
PENDLETON TEMPERATURE FORECAST				
50° 25°	53° 27°	55° 30°	55° 28°	53° 30°
HERMISTON TEMPERATURE FORECAST				

OREGON FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.



ALMANAC

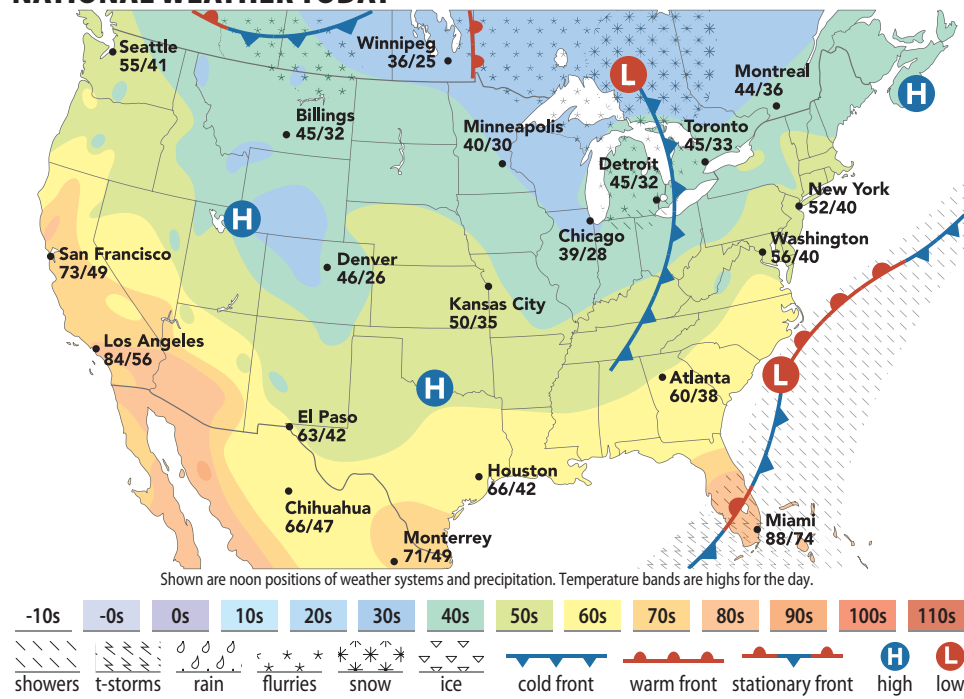
PENDLETON through 3 p.m. yest.			
TEMP.	HIGH	LOW	
Yesterday	51°	21°	
Normals	56°	36°	
Records	76° (1901)	12° (1935)	
PRECIPITATION			
24 hours ending 3 p.m. 0.00"			
Month to date 0.00"			
Normal month to date 0.04"			
Year to date 11.31"			
Last year to date 8.15"			
Normal year to date 10.03"			
HERMISTON through 3 p.m. yest.			
TEMP.	HIGH	LOW	
Yesterday	50°	16°	
Normals	58°	35°	
Records	72° (1988)	8° (2003)	
PRECIPITATION			
24 hours ending 3 p.m. 0.00"			
Month to date 0.00"			
Normal month to date 0.03"			
Year to date 4.94"			
Last year to date 6.45"			
Normal year to date 7.31"			
WINDS (in mph)			
Boardman	Today	Sun.	
	ENE 3-6	NE 3-6	
Pendleton	NNW 4-8	W 4-8	
SUN AND MOON			
Sunrise today 7:36 a.m.			
Sunset tonight 5:41 p.m.			
Moonrise today 1:26 p.m.			
Moonset today 10:23 p.m.			
First	Full	Last	New
Nov 4	Nov 12	Nov 19	Nov 26

NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)

High 91° in Miami, Fla. Low -15° in Boulder, Wyo.

NATIONAL WEATHER TODAY



Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

-10s	-0s	0s	10s	20s	30s	40s	50s	60s	70s	80s	90s	100s	110s

BRIEFLY

Gov. Brown to lead trade mission to Japan, South Korea

SALEM — Gov. Kate Brown announced Thursday she'll lead a delegation of 41 Oregon government and business officials on an 11-day trip to Japan and South Korea.

The Nov. 5-16 trip is meant to boost foreign investment in Oregon and exports of Oregon products to Asia. Stops include Seoul in South Korea, and Kyoto and Tokyo in Japan.

"A thriving economy here in Oregon is influenced by markets across the world," Brown said in a statement, adding, "I am proud to share Oregon's unique products, services, and companies with the rest of the world."

South Korea and Japan rank as Oregon's third and fourth largest trading partners, buying \$3.93 billion in Oregon goods — about 15% of the state's total exports, according to Business Oregon, the state's official business development agency. The biggest export is Oregon agricultural products. China is the top trade partner, followed by Canada. The state counts 150 Japanese companies doing business in Oregon.

The group includes state officials involved

with business development, agriculture, tourism, Portland city officials working on the port and tourism, plus Hillsboro Mayor Steve Callaway and two city economic development officials will make the trip. Fourteen executives from Oregon's business community will also take part, representing outdoor apparel and gear, precision instruments, helicopter manufacturing, wireless, wineries, beef and fruit.

Former plutonium plant demolition could resume

RICHLAND, Wash. — Demolition of a former nuclear weapons production plant could resume next week, nearly two years after the dangerous work was halted because of safety concerns.

Work to demolish the Plutonium Finishing Plant on the Hanford Nuclear Reservation was halted in December 2017 after particles of the radioactive substance contaminated workers and the environment.

The *Tri-City Herald* reported that demolition work on the 1940s-era plant could resume as early as next week.

— EO Media Group and wire services

Dr. Steven Neal and Staff announce

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Regional Publisher and Revenue Director:

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541-278-2669 • crush@eomediagroup.com

Advertising Manager:

• Angela Treadwell
541-966-0827 • atreadwell@eastoregonian.com

Multimedia Consultants:

• Lora Jenkins
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Business Office Manager:

541-966-0824

COMMERCIAL PRINTING

Production manager: Mike Jensen
541-215-0824 • mjensen@eastoregonian.com