DATE: June 4, 2015
FROM: Nancy Mooney, Contract Specialist, Deschutes County Health Services, 322-7516

TITLE OF AGENDA ITEM:
Consideration of Board Signature of Board Order #2015-053, document appointing and repealing Order No. 2014-030 dated December 3, 2014; and authorizing designated persons to provide custody and secure transportation services for allegedly mentally ill persons.

PUBLIC HEARING ON THIS DATE? No.

BACKGROUND AND POLICY IMPLICATIONS:
Program Director for Deschutes County Health Services, Jane Smilie, is appointing individuals to act as the Director's designee and in the Director's capacity for the purpose of OAR 309-033-0210. OAR 309-033-0210 defines "Director" as the following: "Director" means the community mental health and developmental disabilities program director who has been authorized by the local mental health authority to direct the Community Mental Health Program (CMHP). "Director" also means a person who has been authorized by the director to act in the director's capacity for the purpose of this rule. In the case of the director ordering a peace officer to take a person into custody pursuant to ORS 426.233, the designee shall be a Qualified Mental Health Professional (QMHP) who is specifically authorized by the county governing body to order the persons to be taken into custody.

The individuals designated by the Director are part of Deschutes County’s Community Assessment Team and Mobile Crisis Team. These teams provide crisis services, investigations and consultations for individuals who are alleged to be mentally ill and a danger to self or others. These Mental Health Investigators prepare cases for civil commitment hearings and/or assist in the placement of individuals in treatment.

Pursuant to ORS 426.070 through 426.395, the Community Mental health Program Director is required to take certain actions in matters pertaining to the custody, transport and involuntary commitment of mentally ill persons. These certain actions entail: (1) authorizing designees; (2) recommend to the Board persons authorized to perform functions as according to ORS 426.233(3), and (3) provide confirmation that the recommended persons meet applicable Oregon Health Authority standards. Board Order 2014-014, meets the obligations of the Deschutes County Health Services Program Director for the provision of authorizing designated persons to perform certain acts listed in ORS 426.233(3) including, without limitation, taking custody of a person, removing a person in custody to an approved hospital or nonhospital facility, transferring a person who is in custody from one hospital or nonhospital facility to another, and retaining a person in custody.

FISCAL IMPLICATIONS:
No fiscal implications.

RECOMMENDATION & ACTION REQUESTED:
Health Services requests signature.

ATTENDANCE: Holly McCown, Program Manager

DISTRIBUTION OF DOCUMENTS:
A fully executed copy to Nancy Mooney, Contract Specialist, Health Services Department.
(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections above the Official Review line.

Date: May 22, 2015

Department: Health Services, Behavioral Health

Contractor/Supplier/Consultant Name:

Type of Document: Board Order #2015-053

Goods and/or Services: The purpose of the attached Board Order is to repeal Order No. 2014-030 dated December 3, 2014 and authorize designated persons to provide custody and secure transportation services for allegedly mentally ill persons.

Background & History: Program Director for Deschutes County Health Services, Jane Smilie, is appointing individuals to act as the Director's designee and in the Director's capacity for the purpose of OAR 309-033-0210. OAR 309-033-0210 defines "Director" as the following: "Director" means the community mental health and developmental disabilities program director who has been authorized by the local mental health authority to direct the Community Mental Health Program (CMHP). "Director" also means a person who has been authorized by the director to act in the director's capacity for the purpose of this rule. In the case of the director ordering a peace officer to take a person into custody pursuant to ORS 426.233, the designee shall be a Qualified Mental Health Professional (QMHP) who is specifically authorized by the county governing body to order the persons to be taken into custody.

The individuals designated by the Director are part of Deschutes County's Community Assessment Team and Mobile Crisis Team. These teams provide crisis services, investigations and consultations for individuals who are alleged to be mentally ill and a danger to self or others. These Mental Health Investigators prepare cases for civil commitment hearings and/or assist in the placement of individuals in treatment.

Pursuant to ORS 426.070 through 426.395, the Community Mental Health Program Director is required to take certain actions in matters pertaining to the custody, transport and involuntary commitment of mentally ill persons. These certain actions entail: (1) authorizing designees; (2) recommend to the Board persons authorized to perform functions as according to ORS 426.233(3), and (3) provide confirmation that the recommended persons meet applicable Oregon Health Authority standards. Board Order 2015-053 meets the obligations of the Deschutes County Health Services Program Director for the provision of authorizing designated persons to perform certain acts listed in ORS 426.233(3) including, without limitation, taking custody of a person, removing a person in custody to an approved hospital or nonhospital facility, transferring a person who is in custody from on hospital or nonhospital facility to another, and retaining a person in custody.

Agreement Starting Date: Upon Signature Ending Date: Until Terminated

5/27/2015
Annual Value or Total Payment: No Fiscal Implications

☑ Insurance Certificate Received (check box)
Insurance Expiration Date: N/A

Check all that apply:
☐ RFP, Solicitation or Bid Process
☐ Informal quotes (<$150K)
☒ Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget? ☑ Yes ☐ No
If No, has budget amendment been submitted? ☐ Yes ☐ No

Is this a Grant Agreement providing revenue to the County? ☐ Yes ☑ No
Special conditions attached to this grant:
Deadlines for reporting to the grantor:
If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: ☐ Yes ☐ No
Contact information for the person responsible for grant compliance:
Name:
Phone #:

Departmental Contact and Title: Nancy Mooney, Contract Specialist
Phone #: 541-322-7516

Deputy Director Approval: [Signature] 5/27/15

Department Director Approval: [Signature] 5/27/15

Distribution of Document: Return both originals to Nancy Mooney, Behavioral Health Department.

Official Review:
County Signature Required (check one): ☐ BOCC ☑ Department Director (if <$25K)
☐ Administrator (if >$25K but <$150K; if >$150K, BOCC Order No. ____________)

Legal Review ___________________________ Date ________________

Document Number 2015-053 ________________

5/22/2015
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Repealing Order No. 2014-030 dated December 3, 2014; and Authorizing ORDER NO. 2015-053
Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons

WHEREAS, on December 3, 2014, the Deschutes County Board of Commissioners signed Order No. 2014-030, “An Order Authorizing Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons in Custody of Peace Officers; and

WHEREAS, ORS 426.070 through 426.395 authorize or require the Community Mental Health Program Director (“Director”) to take certain actions in matters pertaining to the custody, transport and involuntary commitment of mentally ill persons; and

WHEREAS, OAR 309-033-0210 includes, within the definition of the term “community mental health director,” a person who has been authorized by the Director to act in the Director’s capacity for the purpose of that rule; and

WHEREAS, the Director has authorized each of those individuals identified in Section 2, below, to act as the Director’s designee and in the Director’s capacity for purposes of OAR 309-033-0210; and

WHEREAS ORS 426.233(3) provides that the Deschutes County governing body may, upon recommendation by the Director, authorize a qualified individual to perform certain acts listed in ORS 426.233(3) including, without limitation, taking custody of a person, removing a person in custody to an approved hospital or nonhospital facility, transferring a person who is in custody from one hospital or nonhospital facility to another, and retaining a person in custody; and

WHEREAS, the Director has recommended to the Deschutes County governing body that each of those individuals identified in Section 3, below, be authorized to perform those acts listed in ORS 426.233(3); and

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WHEREAS, the Director has confirmed that each of the individuals identified in Sections 2 and 3 below are qualified mental health professionals as that term is defined under Oregon law and meet applicable standards established by the Oregon Health Authority;

Now, therefore, based upon the foregoing recitals and pursuant to ORS 426.233 and OAR 309-033-0210, THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDERS as follows:

Section 1: Order No. 2014-030 dated on December 3, 2014 entitled: “An Order Authorizing Designated Persons to Provide Custody and Secure Transportation Services for Allegedly Mentally Ill Persons in Custody of Peace Officers” is hereby repealed;

Section 2: The following persons, all of whom are part of the Deschutes County Health Services Department, Behavioral Health Division’s Community Assessment Team/Mobile Crisis Team, are hereby recognized as designees of the Director and are authorized to act in the capacity of the Director with regard to any action permitted or required to be performed by the Director under ORS 426.070 through ORS 426.395:

Holly McCown, M.Ed., LPC, Supervisor, Behavioral Health Specialist III (QMHP)
Terry Schroeder, Mobile Crisis Team, Behavioral Health Specialist II (QMHP)
Anne Muir, LPC Mobile Crisis Team, Behavioral Health Specialist II (QMHP)
Don Murphy, Community Assessment Team, Behavioral Health Specialist II (QMHP)
Jill Kaufmann, LMFT, Community Assessment Team, Behavioral Health Specialist II (QMHP)
Stacy Lawhead, LPC, Community Assessment Team, Behavioral Health Specialist II, (QMHP)
Rebecca Winters, Community Assessment Team, Behavioral Health Specialist II, (QMHP)
Lindsey Peterman, Community Assessment Team, Behavioral Health Specialist II, (QMHP)

Section 3: The following persons, all of whom are part of the Deschutes County Health Services Department, Behavioral Health Division’s Community Assessment Team/Mobile Crisis Team, are hereby authorized to perform any act set forth in ORS 426.233(3):

Holly McCown, M.Ed., LPC, Supervisor, Behavioral Health Specialist III (QMHP)
Terry Schroeder, Mobile Crisis Team, Behavioral Health Specialist II (QMHP)
Anne Muir, LPC Mobile Crisis Team, Behavioral Health Specialist II (QMHP)
Don Murphy, Community Assessment Team, Behavioral Health Specialist II (QMHP)
Jill Kaufmann, LMFT, Community Assessment Team, Behavioral Health Specialist II (QMHP)
Stacy Lawhead, LPC, Community Assessment Team, Behavioral Health Specialist II, (QMHP)
Rebecca Winters, Community Assessment Team, Behavioral Health Specialist II, (QMHP)
Lindsey Peterman, Community Assessment Team, Behavioral Health Specialist II, (QMHP)

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Section 4: Each individual identified herein in Sections 2 and 3 shall retain the authority granted by this Order so long as he or she continuously meets applicable standards established by the Oregon Health Authority and is employed with the County in the Health Services Department-Behavioral Health Division, except as may otherwise be ordered by the Board of County Commissioners.

Dated this _____ of __________, 2015

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

______________________________
ANTHONY DEBONE, Chair

ATTEST:

______________________________
ALAN UNGER, Vice Chair

Recording Secretary

______________________________
TAMMY BANEY, Commissioner
Once the change to add the credential LPC to Stacy Lawhead's name has been done, I approve this document.

I affirm that I have read this document in its entirety, you can accept/accomplish the Statement of Work and I recommend signing this document upon that change being made.

Thanks,

Holly McCown, M.Ed., LPC | Community Assessment Team Supervisor Deschutes County Behavioral Health
2577 NE Courtney | Bend, Oregon 97701
Office: (541) 322-7508 | Fax: (541) 322-7565 | Holly.McCown@deschutes.org

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-----Original Message-----
From: Nancy Mooney
Sent: Tuesday, May 19, 2015 12:26 PM
To: Holly McCown
Subject: Designee Board Order ready for your review and edits

Holly,

Here is the updated Board Resolution. Please provide your affirmation that you have read this document in its entirety, that we can accept/accomplish the Statement of Work and that signing this document is recommended.

Please note upon e-mailing your consent for signature that you’re confirming you’ve read the document and reviewed/approved the Statement of Work as it is set forth in the document.

Thank you,

Nancy Mooney
Contract Specialist
Phone: 541-322-7516
Fax: 541-322-7565

Deschutes County Health Services
2577 NE Courtney Drive
Bend, OR 97701