

Portland's Committee on Community-Engaged Policing Subcommittee for People with Mental Illness

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Deandre Kenyanjui PSS, CRM, Meredith Mathis, Mark Schorr LPC, CAD
C I, Timothy Roessel

To Members of the PCCEP

CC Dennis Rosenbaum, Tom Christie - Rosenbaum & Associates, Portland
Compliance Officer/Community Liaison, Interested Parties

DRAFT - 10 18 2019

Recommendation on Item 89 - re-evaluation and update of Item 89

89. The United States expects that the local CCOs will establish, by mid-2013, one or more drop-off center(s) for first responders and public walk-in centers for individuals with addictions and/or behavioral health service needs. All such drop off/walk in centers should focus care plans on appropriate discharge and community based treatment options, including assertive community treatment teams, rather than unnecessary hospitalization.

The Subcommittee for People with Mental Illness recommends the Compliance Officer/Community Liaison re-evaluate and update its classification of Item 89 of the Settlement Agreement.

Legacy Health opened the Unity Center for Behavioral Health - a hospital-level psychiatric emergency service - in Spring of 2017. In a unique and controversial four hospital system agreement, Unity replaced most of the psychiatric inpatient beds in Portland with a single service, leaving the system with fewer beds.

In June 2018 the Compliance Officer/Community Liaison published "Compliance and Outcome Assessment Report: Sections V and VI Mental Health Response" for the duration September 2017 through March 2018. In their report, the COCL writes, "Related to Par. 89, we believe the Unity Center fulfills the expectation of a drop-off/walk-in center. The facility has been operating as a 24/7 drop-off/walk-in center

since May of 2017 and addresses the expectation of “appropriate discharge and community-based treatment options...rather than unnecessary hospitalization.””

In its re-evaluation and update of Item 89, the Subcommittee recommends the COCL consider the following facts, reports, legal complaints, articles and persons:

- Deaths of patients at Unity Center
- Arrests of patients inside and on the adjacent grounds of Unity Center.
- OSHA Citation and Notification of Penalty, March 7 2018
- Statement of Deficiencies and Plan of Corrective Action for Unity Center DHHS Medicaid and Oregon Health Authority, July 2018
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- Multnomah County Health Department Abuse Investigation and Protective Services Report, July 6 2017
- Internal investigation of Multnomah County Health Department Mental Health & Addiction Services Division senior staff in relation to above Abuse Investigation and Protective Services Report, resulting in terminations.
- Pending investigation by the Multnomah County District Attorney of Multnomah County Health Department Mental Health & Addiction Services Division senior staff.
- Media reports - see attached list.
- Memo by Derald Walker, PhD and Jeffery Eisen, MD, submitted to Judge Michael Simon in February 2019 defining qualities of a “walk in” and “drop off” facility as significantly different than a hospital-level psychiatric emergency service.
- Number of days Unity Center has diverted medical transport (including police drop off) to hospital emergency rooms.
- Complaints by clinical staff of Unity Center to the Bureau of Labor Industries.
- Lawsuits filed by clinical staff of Unity Center against their employer.
- Comparison of quality of discharge planning of Unity Center to national standards.
- Testimony of persons who have been voluntary and involuntary patients at Unity Center.

The settlement agreement calls for the creation of “public walk-in centers for individuals with addictions and/or behavioral health service needs.” The Unity Center is not a “walk-in center” as defined by field experts.

Police officers can have people experiencing a mental health crisis transported by ambulance to Unity Center. But multiple reports show patients often escalate in this process, leading to more police involvement and an escalation in force resulting in arrest, incarceration or forced hospitalization. Overloaded with patients, Unity has frequently diverted patients to be boarded in hospital emergency rooms, forcing behavioral healthcare providers to find other options.

Multiple reports describe Unity alone as an insufficient response for persons in a mental illness crisis in our city. We urge the COCL to re-evaluate and update its classification of Item 89 of the Settlement Agreement.