# Task Force Report



# Task Force Report Details

- Report Due December 15, 2026
- Report to include:
  - Task Force's examinations
  - Identifications
  - Determinations
  - Recommendations on subjects
- Report may include:
  - Recommendations for legislation



# HB 2005 Language

The task force shall examine tribal and state interactions relating to involuntary hospitalization and mental or behavioral health treatment of tribal members in the state civil and criminal systems and:

- Identify data sharing needs between tribal service providers, tribal courts and non tribal service providers, the Oregon Health Authority (OHA) and Oregon courts, and identify methods for resolving barriers to data sharing;
- Examine mental and behavioral health care services provided within tribal lands and to tribal members and identify barriers to providing care to tribal individuals;
- Determine barriers to tribal members receiving care at the Oregon State Hospital pursuant to competency restoration orders or civil commitment;
- Examine models for tribal and state interactions relating to mental or behavioral health;
- Examine the results of the study described in section 38 of this 2025 Act; and
- Develop recommendations concerning tribal court needs that intersect with state services and barriers to services.

# Data Sharing Needs and Resolving Barriers

- Identify data sharing needs between tribal service providers, tribal courts and non tribal service providers, the Oregon Health Authority and Oregon courts, and identify methods for resolving barriers to data sharing;

- What further information would be helpful on data sharing to make recommendations?

Examples:

- Privacy laws (state, federal, tribal)
- Security structures
- Non-tribal entities maintaining tribal member data

# Data Sharing Needs and Resolving Barriers

- Recommendations:
  - Data Report: Recommend OHA, OJD, and CMHPs Considering methods for securely gathering and reporting a tribal member's status as a tribal member when the person is receiving involuntary treatment or services in the state court systems.
  - Data Report:  Increasing awareness and training for CMHPs to accurately report whether a client identifies as American Indian or Alaska Native, and whether that individual is a member of a tribe, when a person is receiving involuntary treatment or services in the state court systems.

- What recommendations can be explored now?

# Tribal Behavioral Health and Mental Health Services

Examine mental and behavioral health care services provided within tribal lands and to tribal members and identify barriers to providing care to tribal individuals;

- What further information would be helpful on tribe-based services to make recommendations?

Examples:

- Funding pass-through with state
- Interactions with federal government
- Learning more about tribes operating as CMHP

# Tribal Behavioral Health and Mental Health Services

- What recommendations can be explored now?

# Access to Oregon State Hospital (OSH)

Determine barriers to tribal members receiving care at the Oregon State Hospital pursuant to competency restoration orders or civil commitment;

- What further information would be helpful on accessing OSH to make recommendations?

Examples:

- *Mink/Bowman* litigation restrictions
- Other state structures
- Process for foreign orders in state courts

# Access to Oregon State Hospital (OSH)

- Recommendations:
  - Recommend advancing full faith and credit for tribal court orders related to civil commitment or restoration services.
  - Data Report: Providing a mechanism for tribal courts/tribal behavioral health providers to be heard on issues related to treatment of individuals in mandated behavioral health systems.

- What recommendations can be explored now?

# Models for Interaction Between Tribes and State

Examine models for tribal and state interactions relating to mental or behavioral health;

- What further information would be helpful on potential models to make recommendations?

Examples:

- Specifics from Washington State presentation
- Other states
- Particular processes in other areas of law or behavioral health services

# Models for Interaction Between Tribes and State

- Recommendations:
  - Collaboration, Education, and Communication
  - Data Report: Coordinating data-reporting fields across OHA systems for the purpose of coordinating services to individuals who identify as American Indian or Alaska Native.
  - Data Report: Providing a mechanism for tribal courts/tribal behavioral health providers to be heard on issues related to treatment of individuals in mandated behavioral health systems.
  - Data Report: Providing a notice mechanism for tribes inside or outside of Oregon, similar to the notification of a consulate when a person subject to civil commitment is a foreign national.
  - Data Report: Exploring methods for strengthening relationships between OHA, CMHPs, treatment courts, and tribes so that state providers contact tribes for support, guidance, and extension of resources to tribal members who are in the state court systems.

# Models for Interaction Between Tribes and State

- Recommendations:
  - Data Report: Providing a notice mechanism for tribes inside or outside of Oregon, similar to the notification of a consulate when a person subject to civil commitment is a foreign national.
  - Data Report: Exploring methods for strengthening relationships between OHA, CMHPs, treatment courts, and tribes so that state providers contact tribes for support, guidance, and extension of resources to tribal members who are in the state court systems.

- What recommendations can be explored now?

# Data Report Recommendations

Examine the results of the study described in section 38 of this 2025 Act; (Data Report)

- What further information would be helpful from the Data Report to make recommendations?

Examples:

- Barriers to race data
- Helpfulness of that data
- Legal and practical challenges to information sharing

# Data Report Recommendations

Recommendations:

- Continue advocating for change of racial terms within the Odyssey platform.
- Increasing awareness and training for CMHPs to accurately report whether a client identifies as American Indian or Alaska Native, and whether that individual is a member of a tribe, when a person is receiving involuntary treatment or services in the state court systems.
- Establishing special designation on filing documents when a person, such as an attorney representing the state, a defense attorney, or CMHP, has reason to believe a person is American Indian or Alaska Native, or a member of a specific tribe.

# Data Report Recommendations

Recommendations:

- NCSC Task Force Report: “Courts should actively collect and review race and ethnicity data in order to identify inequitable practices and to monitor progress in achieving equity. This analysis should extend to diversion to treatment placements.”
- Coordinating data-reporting fields across OHA systems for the purpose of coordinating services to individuals who identify as American Indian or Alaska Native.

- What recommendations can be explored now?

# Tribal Court Needs and Barriers to Service

Develop recommendations concerning tribal court needs that intersect with state services and barriers to services.

- What further information would be helpful on tribal court needs and barriers to service to make recommendations?

Examples:

- Specific processes that are barriers to cross jurisdictional services
- Funding streams and adequacy
- Notice and information processes

# Tribal Court Needs and Barriers to Service

Recommendations:

- C2CWG Rec #40: Require the state to seek input from Tribal governments and treatment providers on the civil commitment system, including assisted outpatient treatment (AOT).
- C2CWG Rec #41: Amend statute to require the Oregon Health Authority and Oregon Judicial Department (OJD) to consult with the mental health authority of the Tribe of a member who is subject to civil commitment proceedings, upon consent of the person if legally required, to ensure compliance with relevant laws and coordination of resources.

- What recommendations can be explored now?

# What Other Recommendations?

- Extension of Task Force?
- What else?

# Format of Report

- Must comply with ORS 192.245
  - Executive summary
  - Sent to committee + legislative reports page
  - Potential for December or early session presentations

# Questions?